


**EL PASO COUNTY**  
**COLORADO**

**COMMISSIONERS:**  
**MARK WALLER (CHAIR)**  
**LONGINOS GONZALEZ, JR. (VICE-CHAIR)**

**HOLLY WILLIAMS**  
**STAN VANDERWERF**  
**CAMI BREMER**

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Planning Commission**  
**Brian Risley, Chair**

**FROM: Rad Dickson, Planner I**  
**Jack Patton, PE Engineer I**  
**Craig Dossey, Executive Director**

**RE: Project File #: U-20-001**  
**Project Name: Falcon Fire #3 Approval of Location**  
**Parcel Nos.: 53124-00-014 and 53124-00-015**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
Falcon Fire Protection District 7030 Old Meridian Road Peyton, CO 80831-8112	Daniel Kupferer – Land Dev. Consultants 3898 Maizeland Road Colorado Springs, CO 80909

**Commissioner District: 2**

<b>Planning Commission Hearing Date:</b>	<b>7/7/2020</b>
--	-----------------

**EXECUTIVE SUMMARY**

A request by Falcon Fire Protection District for an approval of location to allow for the construction of a new a fire station. The approval of location application is made pursuant to C.R.S. § 30-28-110 and Section 5.3.3 of the El Paso County Land Development Code (2019). The two parcels, totaling 6.85-acres, are zoned PUD (Planned Unit Development) and are located at the northwest corner of the Highway 24 and Old Meridian Road intersection and are within Section 12, Township 13 South, Range 65 West of the 6th P.M. The parcels are located within the Falcon/Peyton Small Area Master Plan (2008). A concurrent application is under review for approval of a subdivision exemption to create a 5.424 acre parcel on which the proposed fire station is to be developed. Should the approval of location be approved, the applicant will be



required to submit and receive approval of a site development plan prior to initiation of construction for the proposed fire station.

**A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION**

**Request:** A request by Falcon Fire Protection District for an approval of location to allow for a fire station. The approval of location application is made pursuant to C.R.S. § 30-28-110 and Section 5.3.3 of the El Paso County Land Development Code (2019).

**Waiver(s)/Deviation(s):** There are no waivers requested with the approval of location

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

**B. PLANNING COMMISSION SUMMARY**

**Request Heard:**

**Recommendation:**

**Waiver Recommendation:**

**Vote:**

**Vote Rationale:**

**Summary of Hearing:**

**Legal Notice:**

**C. APPROVAL CRITERIA**

Section 5.3.3.J, Approval of Location, Review Standards, of the Land Development Code (2019) 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.”

**D. LOCATION**

North: PUD (Planned Unit Development)	Residential
South: C-2 (Commercial)	Commercial
East: CC (Commercial Community)	Commercial
West: PUD (Planned Unit Development)	Residential

**E. BACKGROUND**

The 6.85-acre development area was zoned A-4 (Agricultural) on September 20, 1965 when zoning was first established for this area of the County. Due to

subsequent changes in the nomenclature of the Land Development Code, the A-4 zoning district has been renamed to the RR-5 (Rural Residential) zoning district. The land was rezoned from the RR-5 zoning district to the PUD (Planned Unit Development) zoning district on August 9, 2001 (PCD File No. PUD-00-012). The site was then rezoned again to the Falcon Highlands Commercial PUD (Planned Unit Development) on August 10, 2008 and was intended to be developed as a Big Box Retail store (Lowe's) (PCD File No. PUD-07-17).

The Falcon Highlands Commercial PUD was never developed as approved by the PUD. Within the PUD area there are three parcels that were developed prior to the approval of the Falcon Highlands Commercial PUD: Bartlett Hay and Feed Co, a single-family dwelling, and the existing fire station. A variance of use to allow Bartlett Hay and Feed Co. was approved by the Board of County Commissioners on October 10, 1991 (VA-91-015). The lot located adjacent to the subject parcels to the north is a single-family residence constructed in 1968. The third developed property is the existing fire station which was constructed in 1980. Only 8.81 acres of the overall 21.76 acre Falcon Highlands Commercial PUD area is owned by the original developer of the PUD. Furthermore, the current ownership configuration does not align with the proposed lot layout depicted on the approved PUD. With the current configuration of ownership, the PUD cannot develop as approved, therefore, the remaining properties within the PUD will likely be rezoned in the future to allow for development. A previous subdivision exemption was initiated in 2006 but was voided and never finalized (PCD File No. EX-06-004). A concurrent application is under review for approval of a subdivision exemption to create a 5.424 acre parcel on which the proposed fire station is to be developed.

Per the applicant's letter of intent, "The Northerly 150 feet was purchased from the Chicago, Rock Island and Pacific Railroad Bankruptcy Court December 4, 1981 and has been used as a Fire Station and Administration Offices continuously since then. The Southerly 100 feet was acquired from Falcon Highlands Metro District last year. That property was also part of the Chicago, Rock Island and Pacific Railroad."

Per Section 1.15 of the Code an Approval of Location is defined as:

"[T]he process authorized by CRS §30-28-110(1) whereby the Planning Commission reviews and approves the location and extent of any road, park, public way, ground or space, public building or structure, or public utility (whether publicly or privately owned and constructed)."

The proposed fire station is a public building owned and operated by the Falcon Fire Protection District; therefore, the proposed development qualifies as an approval of location per the Code. The County does not have any record of an approval of location being applied for at this site, therefore, an approval of location is necessary per C.R.S. 30-28-110 and Section 5.3.3 of the Land Development Code. The applicant's letter of intent states the proposed station will be 8,382 square feet and will be manned 24 hours per day. The existing station will be remodeled into an administrative office building for the fire district. 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 initiation of construction for the proposed fire station. The applicant anticipates the construction of the proposed fire station and remodeling of the administrative office by the end of 2020.

## **F. ANALYSIS**

### **1. Land Development Code Analysis**

The request for an approval of location is reviewed for conformity with the requirements of the El Paso County Land Development Code and for conformity with the County Master Plan. Staff finds that the proposed use complies with Section 5.3.3 of the Land Development Code regarding approval of location and C.R.S. 30-28-110, with the conditions and notations.

### **2. Zoning Compliance**

The parcels are zoned PUD (Planned Unit Development). The dimensional standards of the Falcon Highlands Commercial PUD (Planned Unit Development) are as follows:

Minimum Lot Size: None  
Minimum Setback: 25 feet on all sides  
Maximum Height: 50 feet

The site plan submitted in association with the approval of location shows the proposed fire station to be located near the center of the site meeting all of the PUD dimensional standards.

The existing fire station is not in compliance with the PUD zoning district setback requirements, however, Section 5.4.3.C.3. of the Code states:

“Public or Quasi-Public Utility Buildings not subject to standards: Utility buildings or facilities owned by a governmental, quasi-governmental or public entity are not subject to the development standards of the respective zoning district, but are instead governed by the standards of

the approval of location, site development plan, or site plan submitted with the development application.”

The conversion of the existing fire station into the administrative office will not result in nonconformity as public buildings are exempt from the dimensional standards provided the setbacks are included in the associated site plan. Should the Planning Commission approve the approval of location and the associated site plan included within the application, the administrative building will be in compliance with the dimensional standards.

### 3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County master plan. Relevant policies are as follows:

**Policy 6.4.3:** Allow rural residential development in those areas with sufficient "carrying capacity" including roadway capacity, water supply, septic suitability, educational facilities and organized structural fire protection

**Policy 7.2.3:** Allow for the reasonable accommodation of neighborhood-scale institutional uses in all areas of the County.

**Policy 12.1.3:** Approve new urban and rural residential development only if structural fire protection is available.

**Policy 12.1.6:** Support efforts to provide structural fire protection for those areas where such protection currently does not exist.

**Policy 12.1.7:** Promote mutual aid agreements and other cooperative efforts among fire protection districts, municipalities and other affected entities directed toward providing improved and more cost-effective fire protection service.

The policies lay out the importance of fire safety and how it is a crucial step in responsible development and a necessary component of the community. Residential and commercial development is occurring rapidly in the Falcon area. The increase of structural space for the fire district will allow the Fire District to better serve the area. The proposed fire station is centrally located in the

expanding Falcon area and provides a hub for efficient fire service in this area of El Paso County. The new fire station is proposed to be sited immediately adjacent to the existing fire station, which allows this location to be more acceptable than others since the adjacent property owners are already accustomed to the noise disturbances and hours of operation associated with the fire station.

#### **4. Small Area Plan Analysis**

The property is located within the Falcon/Peyton Small Area Master Plan (2008), specifically within the planned urban density development and potential nodes and corridors of activity areas. The primary purpose of this Plan is to set forth a framework within which proposed new land uses may be analyzed while also describing the characteristics and features which are unique to the planning area. The Plan is intended to serve as an advisory planning tool to guide future land use decisions. Relevant goals and policies are as follows:

**Policy 4.5.4.1:** Assure that adequate facilities and services including but not limited to schools, fire protection infrastructure, parks, roads, trails, water and sewer service and utilities are available to serve planned development when these facilities and services are needed.

**Policy 4.5.9.1:** Discourage more intensive rezoning in areas that are greater than 5 road miles from an existing or programmed qualifying fire station.

The Falcon/Peyton Small Area Master Plan policies lay out the importance of fire stations and the correlation with responsible growth and development. Policy 4.5.4.1 recommends that fire protection infrastructure must be adequate and available to serve all long term planned development. The development of Falcon could be hindered or otherwise put in jeopardy if fire services are not adequately provided. The Plan recommends urban density development and potential nodes and corridors of activity areas in this area as well as within 5 miles of the proposed fire station. Policy 4.5.9.1 discourages dense urban development if there is not a fire station within 5 miles of the proposed development. The recommended densities are not supported by the Plan without the proposed fire station. The new fire station will help support the continued development of the vacant Falcon commercial areas and ensure adequate fire service within the greater Falcon area.

## 5. 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. This area is specifically identified as being within Region 3 (Falcon Area), which is expected to experience significant growth in the future. Additionally, central water providers in this region primarily draw water resources from the Denver Basin. Relevant policies are as follows:

**Policy 4.3.6:** Encourage well monitoring throughout the County, with an emphasis on the Denver Basin aquifer fringe areas.

**Policy 5.2.4:** Encourage the locating of new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.

**Policy 6.0.11:** Continue to limit urban level development to those areas served by centralized utilities.

The existing fire station is served by an onsite well. The proposed fire station is planned to be served by the Woodmen Hills Metropolitan District, therefore, ceasing its reliance on the existing well. The transition of this site from an individual well to centralized water supply service aligns with the policies of the El Paso County Water Master Plan (2018).

## 6. Other Master Plan Elements

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

The Master Plan for Mineral Extraction (1996) identifies potential 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).

Staff did not identify any inconsistencies with the 2016 Major Transportation Corridor Plan (MTCP).

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

A soils and geology report is not required for an approval of location, however, a review of El Paso County GIS data indicates no known geologic hazards exist on the site that would prohibit or otherwise impact development of the proposed fire station.

### **2. Wildlife**

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

### **3. Floodplain**

The property is not located within a defined floodplain as determined by FEMA Flood Insurance Rate Map panel number 08041C0561G, dated December 7, 2018.

### **4. Drainage and Erosion**

The property is located within the Black Squirrel Creek (FOMO3600) drainage basin, which is a studied basin. Drainage and bridge fees are not assessed with approval of location requests. A drainage report and grading and erosion control plan will be required with the site development plan.

### **5. Transportation**

The property is located southwest of Old Meridian Road and north of State Highway 24. No additional construction access has been requested at this time. The existing access to the existing fire station off of Old Meridian Road will continue to be used to access the new station. A traffic impact study may be required with the site development plan application.

The site is subject to the El Paso County Road Impact Fee Program (Resolution 19-471) due to the proposed construction of the new fire station on the new parcel that is proposed to be created via subdivision exemption and the old fire station being repurposed as a new use. The Road Impact Fee shall be paid at the time of subsequent land use approval.

## **H. SERVICES**

### **1. Water**

Water is provided by Woodmen Hills Metropolitan District.



**2. Sanitation**

Wastewater is provided by Woodmen Hills Metropolitan District.

**3. Emergency Services**

The property is within the Falcon Fire Protection District. The approval of location application is being submitted on behalf of the Falcon Fire Protection District, therefore, they have no objection and support the application.

**4. Utilities**

Natural gas service is provided by Colorado Springs Utilities and electrical service is provided by Mountain View Electric Association.

**5. Metropolitan Districts**

The parcels are located within the Falcon Highlands Metropolitan District, which has a mill levy of 43.082 mills.

**6. Parks/Trails**

Land dedication and fees in lieu of park land dedication are not required for approval of location application. The El Paso County Parks Master Plan (2013) shows the Rock Island Trail as being in close proximity to the subject parcels. The adjacent Rock Island Trail has been constructed and has adequate land provided for the trail.

**7. Schools**

Land dedication and fees in lieu of school land dedication are not required for an approval of location application.

**I. APPLICABLE RESOLUTIONS**

Approval            Page 9  
Disapproval        Page 10

**J. STATUS OF MAJOR ISSUES**

There are no major outstanding issues.

**K. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission find that the request meets the criteria for approval outlined in Section 5.3.3 of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations:

## **CONDITIONS**

1. 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.
2. The applicant shall seek approval from the Planning and Community Development Department of a site development plan prior to initiating construction activities associated with the new fire station and remodeling of the existing fire station to change the use to administrative offices.
3. The proposed use shall comply with all requirements of the El Paso County Land Development Code and all County, State, and federal regulations except for those portions varied by this action.
4. The applicant 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 submittal.

## **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.

## **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 11 adjoining property owners on June 19, 2020, for the Planning Commission hearing. Responses will be provided at the hearing.

## **M. ATTACHMENTS**

Vicinity Map  
Letter of Intent  
Site Plan

# El Paso County Parcel Information

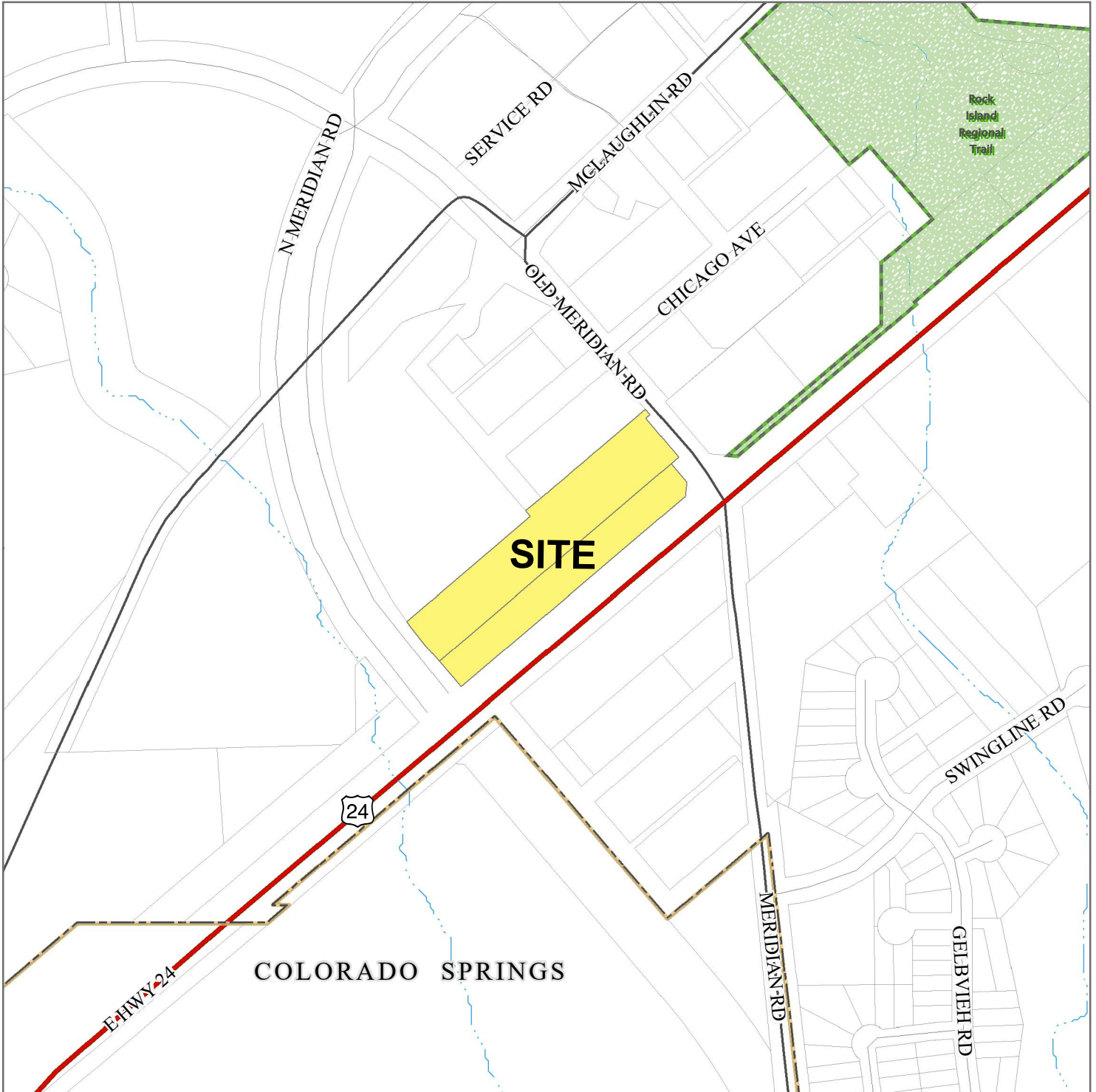
File Name: U-20-001

Zone Map No. --

PARCEL	NAME
5312400014	FALCON FIRE PROTECTION DISTRICT
5312400015	FALCON FIRE PROTECTION DISTRICT

Date: June 18, 2020

ADDRESS	CITY	STATE	ZIP	ZIPLUS
7030 OLD MERIDIAN RD	PEYTON	CO	80831	
7030 OLD MERIDIAN RD	PEYTON	CO	80831	8112



Please report any parcel discrepancies to:  
 El Paso County Assessor  
 1675 W. Garden of the Gods Rd.  
 Colorado Springs, CO 80907  
 11 (719) 520-6600



COPYRIGHT 2018 by the Board of County Commissioners, El Paso County, Colorado. All rights reserved. No part of this document or data contained hereon may be reproduced; used to prepare derivative products; or distributed without the specific written approval of the Board of County Commissioners, El Paso County, Colorado. This document was prepared from the best data available at the time of printing. El Paso County, Colorado, makes no claim as to the completeness or accuracy of the data contained hereon.

**LETTER OF INTENT**  
**FALCON FIRE PROTECTION DISTRICT STATION 3**  
**LOCATION APPROVAL AND**  
**SUBDIVISION EXEMPTION PLAT**

**JUNE 2, 2020 REVISION**

Project No. 95025.1

April 2, 2020

El Paso County  
Planning and Community Development  
2880 International Circle, Colorado Springs, CO. 80910

OWNER: Falcon Fire Protection District  
7030 Old Meridian Road  
Falcon, CO 80831  
Trent Harwig, Chief 719-495-4030

CONSULTANT: Land Development Consultants, Inc.  
3898 Maizeland Road  
Colorado Springs, CO 80909  
Daniel L. Kupferer 719-528-6133

Land Development Consultants, Inc. (LDC) has been retained by Falcon Fire Protection District (DISTRICT) to prepare the Exemption Plat and Location Approval for their property at 7030 Old Meridian Road. This is a 5.423 acre site located in the East Half of Section 12, Township 13 South, Range 65 West of the 6<sup>th</sup> P.M., El Paso County, Colorado. The property is located in a Commercial area and is zoned PUD. The existing PUD zone was created by a previous developer for a larger area to the Northwest of this property for a proposed Lowes store. That development fell through with the last recession. The existing land use immediately to the northwest is a single family home which is part of the failed PUD zone. Northerly, Southerly and Easterly are all developed commercial properties.

The Northerly 150 feet was purchased from the Chicago, Rock Island and Pacific Railroad Bankruptcy Court December 4, 1981 and has been used as a Fire Station and Administration Offices continuously since then. The Southerly 100 feet was acquired from Falcon Highlands Metro District last year. That property was also part of the Chicago, Rock Island and Pacific Railroad. We are requesting Location Approval for a Fire Station, since that apparently was never approved in 1980 even though the County approved the site plan for the existing station that is still in use in this location as a fire station and District offices.. We are also requesting approval for a Subdivision Exemption plat for this property to be in conformance with the subdivision regulations. We are preparing a Site Development Plan for the new station which will be submitted separately.

The new station will continue to be a 24/7 manned station. The Fire District will remodel the existing station to be an administration only building for the District. The District is in the pre-bidding process now and would like to begin building construction within the next 60 days and would like to have the station finished by the end of 2020.

This attached Site Plan shows the proposed 8,382 square foot station and associated driveways, parking areas, landscape areas and utilities services (New station 3). Old Meridian Road is a public street currently undergoing improvements. The underground utilities being modified with the road reconstruction provides an opportune time to connect the District's facilities to municipal water and sewer as the current services are by well and septic system. This is a relatively flat site and will require minimal grading to create the pad site, parking and driveways. The District is in the position to construct its New Station 3 using a lease purchase as it did with the last station opened in 2016 and paid off last year.

The New Station 3 and the remodel of the existing fire station for administrative uses only are in compliance with the applicable master plans as follows:

FALCON/PEYTON SAP: This plan encourages urban type growth in areas where infrastructure (including fire stations) is available. This will enhance the Fire District's capabilities to respond to increased growth.

POLICY PLAN: the Policy Plan is to increase fire service capabilities to the rural and urban areas. This plan is in compliance as it increases the District's capabilities in this rural/urban area.

WATER MASTER PLAN: The Water Master Plan is encouraging less wells and septic systems, which this plan will help accomplish as the Fire District will abandon their well and septic system and connect the existing building and New Station 3 to WHMD water and sewer facilities.

PARKS DEPT. ROCK ISLAND TRAIL PLAN: The Rock Island Trail Plan shows the trail going along the old CRI & P Railroad. This Site is part of that old CRI & P Railroad R.O.W. The County Parks Dept. has commented the Parks Department wants a 25 feet wide easement dedicated to them for the trail without adequately considering the Site. The Fire District has safety concerns with this request. The proposed trail would run within 10 feet of an active fire station providing fire, rescue, ambulance and emergency medical response services 24/7 to the County's citizens, using fire engines, brush trucks and ambulances, in addition to performing emergency training exercises at this station. If a proposed trail is to be built near the New Station 3, a permanent barrier will be required between the trail and the New Station 3 for the safety and protection of fire fighters, as well as members of the public using the proposed trail.

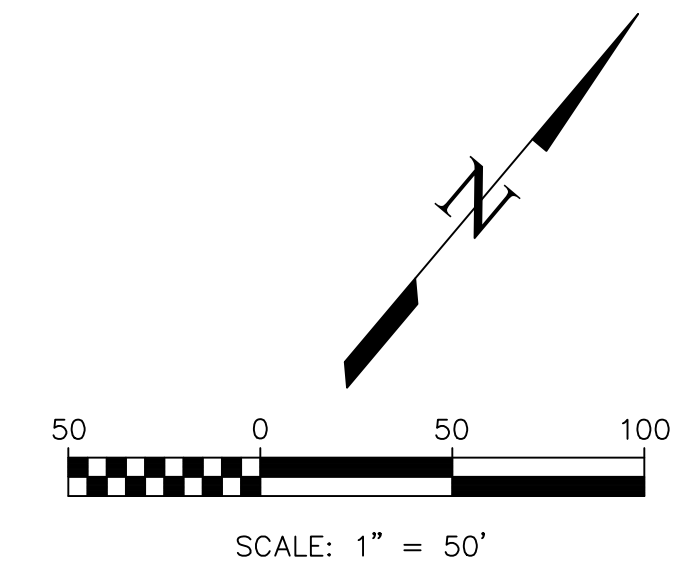
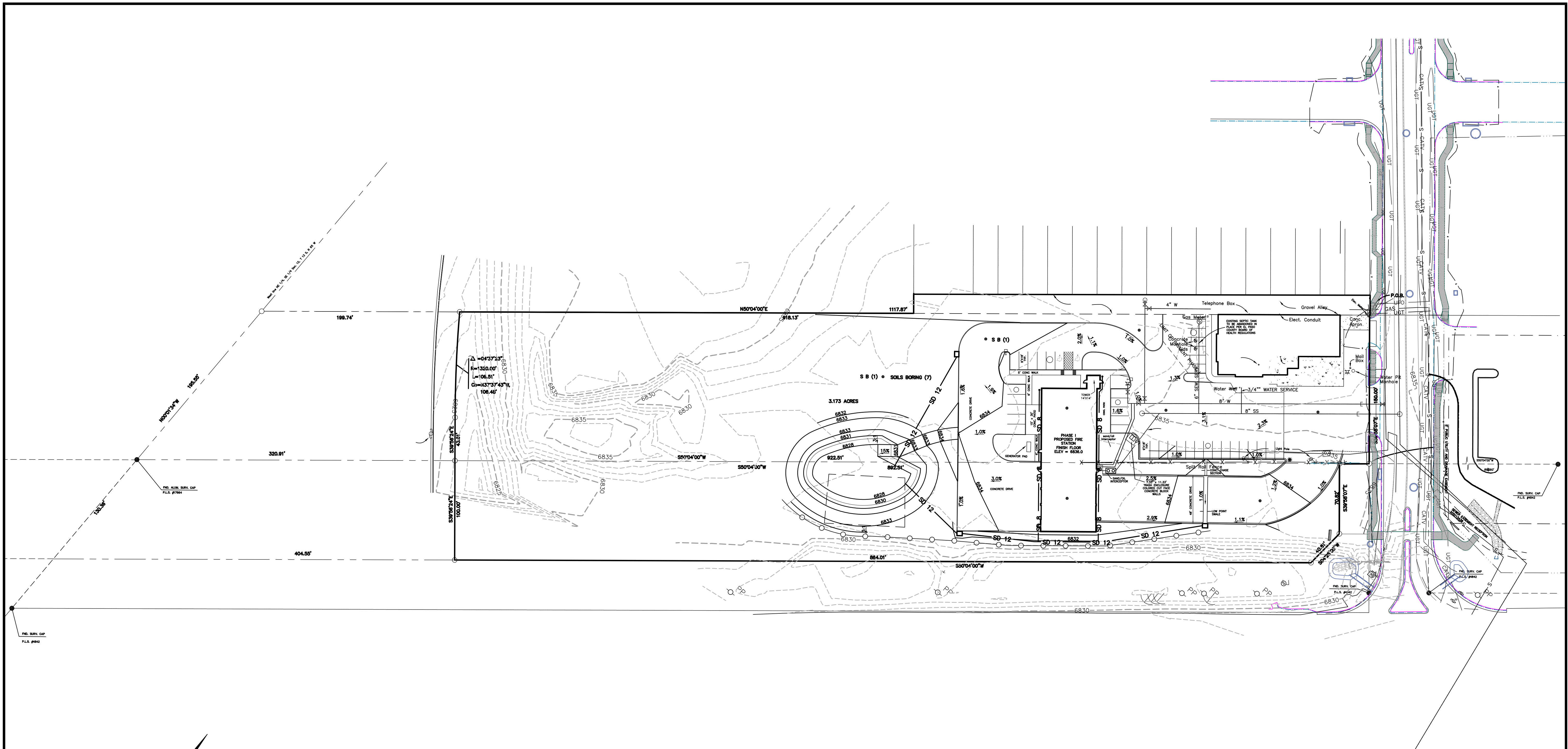
TRAFFIC PLAN: This Traffic Plan appears to be from 2001. Could not find any reference to the existing fire station nor any recommendations relative to a fire station in this location.

Thank you for your consideration and we look forward to an expeditious process for approval of this Location Approval and Exemption Plat.

Respectfully;

Daniel L. Kupferer, PLS  
President, Land Development Consultants, Inc.






**NOTES:**

1. WATER, SEWER AND GAS MAINS TO BE "BY OTHERS".
2. THIS CONTRACT TO BE RESPONSIBLE FOR PROVIDING WATER, SEWER AND GAS SERVICES FROM BUILDING AND CONNECT TO UTILITIES STUB-OUTS ON MAINS.
3. ALL CURB ALONG DRIVES AND PARKING AREAS TO BE COLORADO SPRINGS STANDARD MEDIUM CURB- 6" CURB AND 1' GUTTER.
4. ALL WORK IN OLD MERIDIAN ROAD IS CURRENTLY UNDER CONSTRUCTION BY EL PASO COUNTY CONTRACTOR.

**NEW FALCON FIRE STATION NO. 3**

NEW STATION SITE PLAN  
FALCON, COLORADO



PLANNING - SURVEYING  
www.ldc-inc.com TEL: (719) 528-6133 FAX: (719) 528-6848  
3888 MAUZELAND ROAD - COLORADO SPRINGS, CO 80909

Project No.: **20005**

Sheet: **1 of 1**

H Scale: 1" = 30'

V Scale: N/A

Designed By: BRH

Drawn By: DLK

Checked By: DLK

Date: 12/24/19

CALL BEFORE YOU DIG ...

811

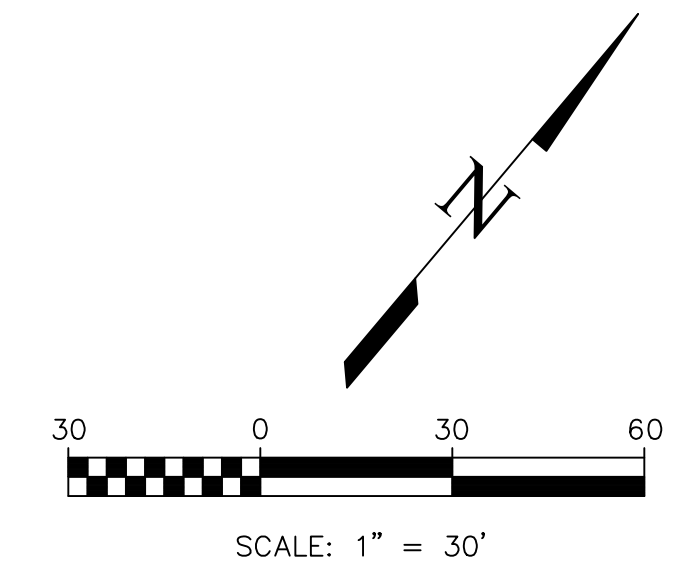
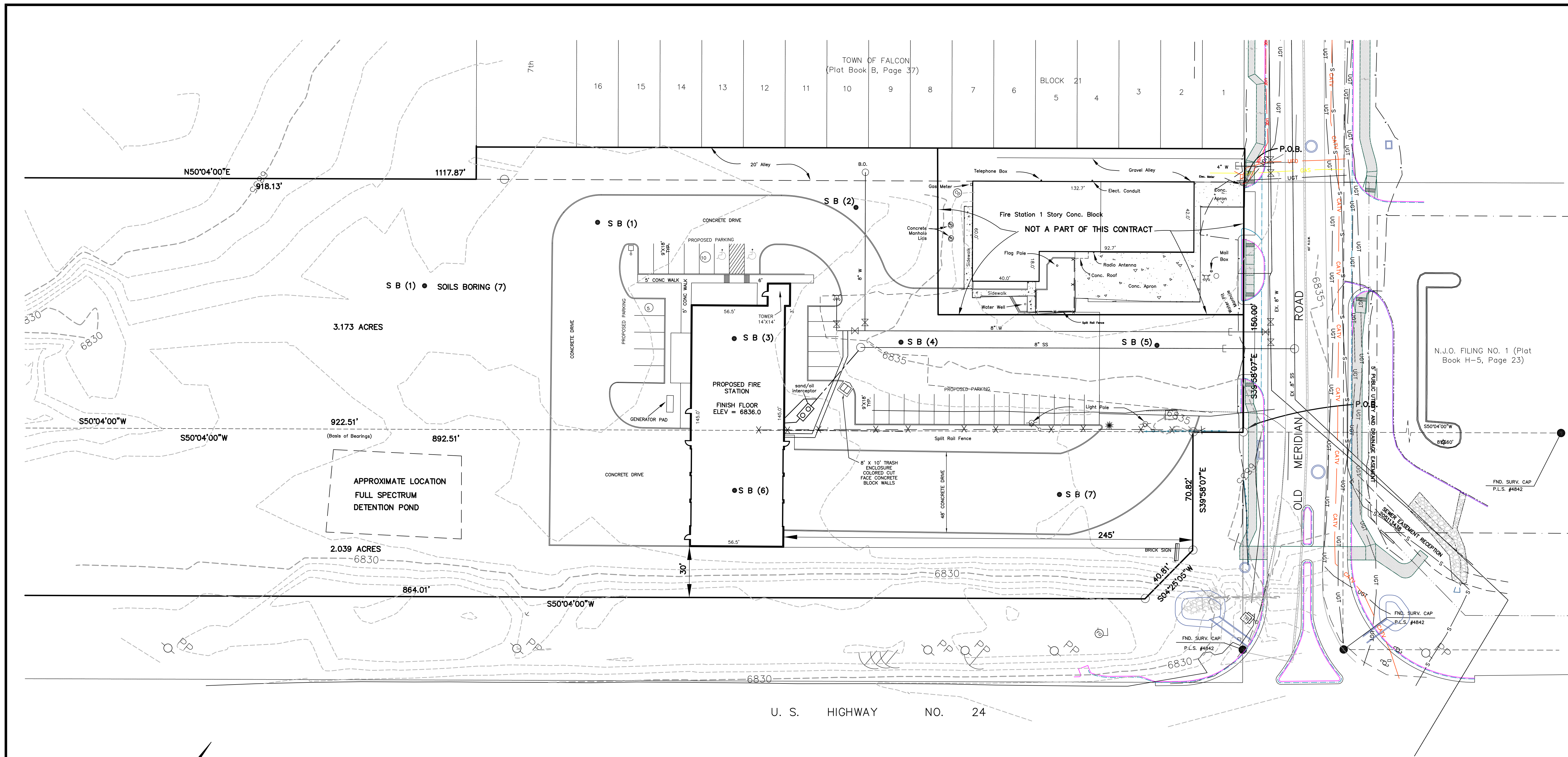
DIAL 811

48 HOURS BEFORE YOU DIG, CALL UTILITY LOCATORS FOR LOCATING GAS, ELECTRIC, WATER AND WASTEWATER.

No.	Description	By	Date

14





**NOTES:**

1. WATER, SEWER AND GAS MAINS TO BE "BY OTHERS".
2. THIS CONTRACT TO BE RESPONSIBLE FOR PROVIDING WATER, SEWER AND GAS SERVICES FROM BUILDING AND CONNECT TO UTILITIES STUB-OUTS ON MAINS.
3. ALL CURB ALONG DRIVES AND PARKING AREAS TO BE COLORADO SPRINGS STANDARD MEDIAN CURB- 6" CURB AND 1' GUTTER.
4. ALL WORK IN OLD MERIDIAN ROAD IS CURRENTLY UNDER CONSTRUCTION BY EL PASO COUNTY CONTRACTOR.
5. There will be a landscape plan submitted with the SITE DEVELOPMENT LAN

CALL BEFORE YOU DIG ...  
**811**  
 DIAL 811  
 48 HOURS BEFORE YOU DIG. CALL UTILITY LOCATORS FOR LOCATING GAS, ELECTRIC, WATER AND WASTEWATER.

No.	Description	By	Date

H Scale: 1" = 30'  
 V Scale: N/A  
 Designed By: BRH  
 Drawn By: DLK  
 Checked By: DLK  
 Date: 12/24/19

**Land Development Consultants, Inc.**  
 PLANNING - SURVEYING  
 www.ldc-inc.com TEL: (719) 238-6133 FAX: (719) 528-6848  
 3888 MAUZELAND ROAD - COLORADO SPRINGS, CO 80909

**FALCON FIRE PROTECTION DISTRICT**  
 NEW STATION SITE PLAN  
 FALCON, COLORADO

Project No.: **20005**  
 Sheet: **1 of 1**