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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting
Thursday, October 7, 2021
El Paso County Planning and Community Development Department
2880 International Circle, Colorado Springs, Colorado 80910

REGULAR HEARING
9:00 a.m.

PRESENT AND VOTING: BRIAN RISLEY, TOM BAILEY, BECKY FULLER, JOAN LUCIA-TREESE, JAY CARLSON, ERIC MORAES, BRANDY MERRIAM, TIM TROWBRIDGE, AND SARAH BRITTAIN JACK

PRESENT VIA ELECTRONIC MEANS AND VOTING: NONE

PRESENT AND NOT VOTING: BRYCE SCHUETTPELZ

ABSENT: GRACE BLEA-NUNEZ

STAFF PRESENT: NINA RUIZ, DANIEL TORRES, CARLOS HERNANDEZ (VIA REMOTE ACCESS), LUPE PACKMAN, GILBERT LAFORCE, JOHN GREEN, RYAN HOWSER, KARI PARSONS, ELENA KREBS, EL PASO COUNTY ENGINEER JENNIFER IRVINE, AND EL PASO COUNTY ATTORNEYS LORI SEAGO AND MARY RITCHIE

OTHERS SPEAKING AT THE HEARING: DANNY MIENTKA, DAVID WHITEHEAD, JIM HOUK, HEATHER DILLARD, VICTORIA CHAVEZ (CDOT), AND DAVID SPRAGUE (CDOT)

Report Items

1. A. Report Items -- Planning and Community Development Department -- Ms. Ruiz -- The following information was discussed:

- a) The next scheduled Planning Commission meeting is for Tuesday, November 2, 2021 at 9:00 a.m.**

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- b) **Ms. Ruiz** gave an update on the year-to-date building permits and also provided an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting. Mr. Dossey will be presenting the end of the year report at the next scheduled hearing.
- c) **Mr. Trowbridge** provided an update on the revisions to the Planning Commission Bylaws. He will be sitting down with **Ms. Seago** to finalize changes.

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

2. CONSENT ITEMS

A. Approval of the Minutes – September 2, 2021

The minutes were unanimously approved as presented. (9-0)

B. SF-21-013

HOWSER

**VACATION AND REPLAT
BRIDLE BIT RANCH FILING NO. 1A**

A request by Nicole Telle for approval of a vacation and replat of one (1) single-family residential lot into two (2) single-family residential lots. The 10.12-acre property is zoned RR-5 (Residential Rural) and is located on the west side of Bridle Bit Road, approximately one mile east of the Shoup Road and Highway 83 intersection and within Section 10, Township 12 South, Range 66 West of the 6th P.M. (Parcel No. 62100-01-011) (Commissioner District No. 1)

Ms. Fuller – Is the second well permit approved?

Ms. Seago – I defer to the applicant as we don't typically deal with wells. They are required to get the well permit, but we do not monitor what they have or do.

Mr. Whitehead – The well permit cannot be applied for until the property is divided because we are only allowed one well permit per property. We are prepared to do that, and at the same time the findings did tell us we need to reapply for a well permit on the existing well because of the adjudication from the court.

PC ACTION: FULLER MOVED/LUCIA-TREESE SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2B, SF-21-013, FOR A VACATION AND REPLAT FOR BRIDLE BIT RANCH FILING NO. 1A, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-056, WITH NINE (9) CONDITIONS AND FOUR (4) NOTATIONS, WITH A FINDING OF

WATER 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 (9-0).

C. SF-20-025

HOWSER

**FINAL PLAT
SPACE VILLAGE APARTMENTS FILING NO. 1**

A request by Bridle Dale, LLC, for approval of a final plat to create one (1) 0.63-acre commercial lot. The property is zoned CC (Commercial Community) and is located on the south side of Space Village Avenue, approximately 785 feet east of the intersection of Space Village Avenue and Peterson Boulevard and is within Section 17, Township 14 South, Range 65 West of the 6th P.M. (Parcel No. 54170-00-019) (Commissioner District No. 4)

PC ACTION: FULLER MOVED/ LUCIA-TREESE SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2C, SF-20-025, FOR A FINAL PLAT FOR SPACE VILLAGE APARTMENTS FILING NO. 1, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-057, WITH TWELVE (12) CONDITIONS AND TWO (2) NOTATIONS, WITH A FINDING OF WATER 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 (9-0).

D. SF-20-015

PARSONS

**FINAL PLAT
STERLING RANCH FILING NO. 2**

A request by SR Land, LLC, Morley Bentley, LLC, Trader Vics, LP, 8335 Vollmer Road, LLC, and Challenger Communities, LLC for approval of a final plat to create 49 single-family residential lots and eleven (11) tracts. The 49.54-acre property is zoned RS-5000 (Residential Suburban) and is located west of Dines Ranch Road, at the northeast corner of the Vollmer Road and Tahiti Drive intersection and is within Sections 32 and 33, Township 12 South, and Section 4, Township 13 South, Range 65 West of the 6th P.M. (Parcel Nos. 52000-00-231, 52000-00-364, 52330-00-013, 52324-00-004, 53000-00-173, and 53000-00-222) (Commissioner District No. 2)

PC ACTION: BAILEY MOVED/BRITTAIN JACK SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2D, SF-20-015, FOR A FINAL PLAT FOR STERLING RANCH FILING NO. 2, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-055, WITH EIGHTEEN (18) CONDITIONS AND ONE (1) NOTATION, WITH A FINDING OF WATER

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 (9-0).

E. MS-21-003

GREEN

**MINOR SUBDIVISION
RAPSON SUBDIVISION**

A request by Andrea and William Rapson for approval of a minor subdivision to create two (2) single-family residential lots. The 19.6-acre property is zoned RR-5 (Residential Rural) and is located southeast of the intersection of Hardy Road and Black Squirrel Road, approximately one mile north of Hodgen Road and is within Section 14, Township 11, Range 65 West of the 6th P.M. (Parcel No. 51140-00-007) (Commissioner District No. 1)

PC ACTION: TROWBRIDGE MOVED/MORAES SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2E, MS-21-003, FOR A MINOR SUBDIVISION FOR RAPSON SUBDIVISION, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-053, WITH NINE (9) CONDITIONS AND TWO (2) NOTATIONS, WITH A FINDING OF WATER 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 (9-0).

F. VA-21-003

GREEN

**VARIANCE OF USE
3475 MULBERRY VARIANCE OF USE**

A request by Mulberry Ridge, LLC, for approval of a variance of use for an observatory and related facilities. The 35.48 acre property is zoned A-35 (Agricultural) and is located one mile west of North Yoder Road, and immediately northeast of the intersection of Mulberry Road and Big Springs Road, and is within Section 26, Township 13, Range 61 West of the 6th P.M. (Parcel No. 13000-00-469) (Commissioner District No. 4)

Mr. Bailey – Could you clarify why there is a deadline on this and not an indefinite approval?

Mr. Green – In the 2011 approval of the variance of use that condition was placed then, it wouldn't be a standard practice today, so that is why there are

renewals for the 2000 variance and the 2011 variance. Our standard practice now would not have those time clauses unless it is a very unique situation.

Mr. Bailey – What we're asked to approve today would be an indefinite approval for this variance of use?

Mr. Green – Correct.

Ms. Fuller – I appreciate the change has been made in the county to make these indefinite approvals. It is good public policy.

PC ACTION: CARLSON MOVED/TROWBRIDGE SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2F, VA-21-003, FOR A VARIANCE OF USE FOR 3475 MULBERRY VARIANCE OF USE, UTILIZING RESOLUTION PAGE NO. 51, CITING, 21-058, WITH SEVEN (7) CONDITIONS AND THREE (3) NOTATIONS, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

Regular Items

3. SP-20-011

PARSONS

PRELIMINARY PLAN CROSSROADS AT MEADOWBROOK MIXED USE

A request by Colorado Springs Equities, LLC, for approval of a preliminary plan to create one (1) multi-dwelling lot, and ten (10) commercial lots. The 29.04-acre parcel is zoned RM-30 (Residential Multi-Dwelling) and CR (Commercial Regional) and is located at the northwest corner of the Meadowbrook Parkway and Highway 24 intersection and is within Section 8, Township, 14 South, Range 65 West of the 6th P.M. (Parcel No. 54080-07-005) (Commissioner District No. 2).

Ms. Parsons gave a brief overview of the project and then asked **Ms. Seago** to go over the review criteria for a Preliminary Plan, **Ms. Parsons** then introduced the applicant, **Danny Mientka** to present the overall concept for the area, to be followed by the applicant's representative **Jim Houk**, with **Kimley-Horn** for the site specific presentation. **Mr. Mientka and Mr. Houk's** presentations are part of the permanent file.

Ms. Merriam – I know the traffic can be dangerous, especially during the winter. You're adding the additional families, and you're putting a place where children will want to go across the highway, but I don't see any consideration for a pedestrian bridge on either direction. What is the consideration on that?

Mr. Mientka – We had a very exhaustive traffic analysis for all these developments, and it looked at each one of these and how they interfaced with one another. We agreed with that study and our discussions with the city, the county and cdot on a

number of improvements that will be made incrementally as these developments come online. There is actually a lot of public improvements that come about these developments as they start to develop. Traffic signals, sidewalks, ADA accessibility, extended turn lanes, off ramps, it is quite extensive.

Ms. Merriam – An area that is similar is the MLK bypass on Chelton, and they had to create a pedestrian bridge for the boys and girls club across the street. That isn't nearly as large as this development. The other question was that it will be quite a mall complex, and in the report, it had sit down restaurants at 8000 square feet and the fast food was at 11 square feet. I'm assuming that is a total, not that the fast food is bigger than the sit down, am I correct?

Mr. Mientka – That may very well be a typo.

Mr. Moraes – You've talked about the housing shortage that is in the area, have you thought about using some of that retail space and going vertical by putting apartments or lofts on top of the development. Has that been thought here?

Mr. Mientka – We are restricted within the Crossroads North of course due to the accident protection zone with the airport. We can't do any residential within that Crossroads North. We're looking at extraordinary densities within Reagan, I see this as infill and we're going to get more mileage off the road and utility network that exists, and then we're upgrading the utilities. This land is finally in front of you because it took all of the time to aggregate the scale large enough to meet that lift on the utilities. Density is the name of the game.

Mr. Moraes – I would think that you would maximize density when you start going into the third dimension. I think that is something for people to think about as we continue to develop the county. I would encourage if it is feasible to underground all that detention because I have been in communities where the detention areas are used as open space and park space and eventually it becomes somebody's problem to clean it up as water from wherever starts to fill that area and it becomes a swampy mess.

Mr. Mientka then introduced Jim Houk with Kimley-Horn to provide the site specific presentation.

Mr. Carlson – It looked like the airport is requiring the multifamily folks to sign an acknowledgement that they are in a noisy airport zone, did they require of that of development no. 4? **Mr. Houk** – Yes they did.

Ms. Parsons gave a brief presentation to the Planning Commission. Her report is on the permanent file.

Ms. Merriam – If appropriate for the area, at what stage would a pedestrian bridge be developed?

Ms. Irvine – Typically when you look at a pedestrian bridge, you're looking at more of a generation thing, pedestrian generation. We would look at the kind of pedestrian traffic. What I would say about this area is that it is likely to continue development. There is a long range planning document for US HWY 24 that the county developed with CDOT and the City of Colorado Springs, at this time it has not identified a pedestrian bridge in this area. There are other locations where that pedestrian access is more appropriate.

Ms. Merriam – You're doing something completely different. The historic reference doesn't seem to be relevant to this particular case, because I want the success of the development and I can see this as one of the shortfalls.

Ms. Irvine – Those pedestrian bridges are typically done with CDOT because it is a state highway, so it isn't something that is done with this type of development that you see in front of you. **Ms. Merriam** – Is it a public partnership that can be utilized with some of the big box stores? **Ms. Irvine** – It could be down the road. I think what we will see here is those connectivity's at the larger intersections down the road.

Mr. Moraes – How old is that US 24 plan?

Ms. Irvine – I want to say it was adopted in 2019. **Mr. Moraes** – So before multifamily housing was even a thought in this area. **Ms. Irvine** – No, we knew this type of redevelopment was coming in this area. Those are the type of things from a long range planning standpoint, we look at the highest and best use, so those kinds of developments were already planned for this area. **Mr. Moraes** – I see this plan as developing multifamily and not having access to the sports complex across the highway, without using a car.

Ms. Ruiz – I just want to remind the planning commission that the rezoning has already gone through and is in place today. With that rezoning they did prepare a traffic study. **Mr. Moraes** – Did the traffic study include pedestrians? **Ms. Ruiz** – I haven't viewed the traffic study myself, but what is for discussion today is the specific layout and not the land uses. So, if the traffic study doesn't call for improvements and our county engineer has identified at this time there are also no improvements for a pedestrian bridge, it would be inappropriate for us to have that discussion.

Mr. Moraes – The rezoning was the use of the area. When we get to the preliminary plan, that's solving all the other issues that come with it. **Ms. Ruiz** – Those improvements that have been identified in the reports prepared by the appropriate professional that says roadway improvements might be necessary and so on, that is correct. **Mr. Moraes** – For vehicular traffic.

Ms. Parsons – I mentioned that Meadowbrook Parkway would be extended when the development to the west occurs, Meadowbrook Parkway will then be further developed to the interchange with sidewalks. People will have the ability to walk that area by utilizing the pedestrian bridge or at grade pedestrian crossing, and when

Reagan Ranch develops in the city there are requirements to have those sidewalks meeting the ADA standards throughout the development. You're talking about a multiyear project to achieve the goal, but you will have that pedestrian connectivity to the sports complex when all the developments are on the ground.

Ms. Fuller – I think we are a little bit off topic as far as the pedestrian bridge. This part of the county is car dependent. My suggestion would be to accept the traffic study as it is and move on.

Mr. Carlson – I agree.

Note for the record: The Chair called a short recess at 10:20. The hearing reconvened at 10:30. Quorum is still place.

IN FAVOR: NONE

IN OPPOSITION:

Ms. Dillard – The parking issue is a concerning. I would like to know how the noise and parking issues will be resolved on Boreal Drive.

Ms. Parsons – The Boreal Street is in the residential development across from this proposed preliminary plan, and yes I can assure the Planning Commission that the LDC does require the development to house its parking on its own lot, so there isn't going to be any street parking

DISCUSSION: NONE

PC ACTION: BAILEY MOVED/CARLSON SECONDED FOR RECOMMENDED APPROVAL OF REGULAR ITEM NUMBER 3, SP-20-011, FOR A PRELIMINARY PLAN FOR CROSSROADS AT MEADOWBROOK MIXED USE, UTILIZING RESOLUTION PAGE NO. 25, CITING, 21-054, WITH SIX (6) CONDITIONS, THREE (3) NOTATIONS AND ONE (1) WAIVER, WITH A FINDING OF WATER 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 (9-0).

4. AMP-21-001

CHAVEZ/IRVINE

**CO 83 ACCESS CONTROL PLAN
INFORMATIONAL PURPOSES ONLY – NO ACTION NEEDED**

The Colorado Department of Transportation (CDOT), City of Colorado Springs (COS), and El Paso County collaborated to develop an Access Control Plan (ACP) for CO 83 between Powers Boulevard (CO21) and County Line Road (Palmer Divide Road) or 9.85 miles. An ACP is a long-range plan for ultimate access conditions that address

existing spacing deficiencies, improves mobility and enhances safety. The CDOT presentation is part of the permanent record.

Mr. Carlson – You mentioned that there were 75 private entrances notified. How were those people notified?

Mr. Sprague – We mailed a postcard to all the properties and advertise in four of the local newspapers in the area, and reached out to the homeowners associations in the area and provide them with the information to share with their residents.

Mr. Carlson – There are a lot of properties that will lose access to the highway. Were those people notified they were going to lose access? **Mr. Sprague** – They were invited to the meetings. **Mr. Carlson** - What would trigger closing off those access points to the individual properties and who would determine that? **Mr. Sprague** –First of all we had over a hundred individuals that visited the website and only 44 that left comments, meaning a lot of individuals did visit the meeting. In terms of closing access nothing happens to their property. 95% of these driveways will never change they will remain full movement access to the highway. If they are redeveloped at the time of the design, it would be addressed. Properties can never have their driveways closed.

PC ACTION: NO ACTION NEEDED; ITEM IS FOR INFORMATIONAL PURPOSES ONLY.

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.)

Minutes were approved as presented at the November 2, 2021 hearing.