

COMMISSIONERS: STAN VANDERWERF (CHAIR) CAMI BREMER (VICE-CHAIR) LONGINOS GONZALEZ, JR. HOLLY WILLIAMS CARRIE GEITNER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission

Brian Risley, Chair

FROM: John Green, Planner II

Daniel Torres, PE Engineer II
Craig Dossey, Executive Director

RE: Project File #: P-20-009

Project Name: Rock Creek Mesa

Parcel No.: 65303-00-017, 65303-00-022 65304-00-009, 65304-01-001,

65312-00-007, 75000-00-236

OWNER:	REPRESENTATIVE:
90 South Cascade Avenue Colorado Springs, CO 80903	Matrix Design Group 2435 Research Parkway Suite 300 Colorado Springs, Colorado 80920

Commissioner District: 3

Planning Commission Hearing Date:	7/15/2021	
Board of County Commissioners Hearing Date:	8/10/2021	

EXECUTIVE SUMMARY

A request by Colorado Springs Equities, LLC, for approval of a map amendment (rezoning) of 37.26-acres from F-5 (Forestry and Recreation) to RS-5000 (Residential Suburban). The six (6) parcels included in the request are located west of the intersection of Colorado Highway 115 and Pawnee Road, approximately one-half (1/2) mile south of the City of Colorado Springs incorporated boundary and are within Sections 30 and 31, Township 15 South, Range 66 West of the 6th P.M. The property is located within the Southwestern Highway 115 Comprehensive Plan (1990).



A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

Request: A request by Colorado Springs Equities, LLC, for approval of a map amendment (rezoning) of 37.26-acres from F-5 (Forestry and Recreation) to RS-5000 (Residential Suburban).

Waiver(s)/Deviation(s): There are no waivers associated with the map amendment (rezone) request.

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

In approving a map amendment (rezoning), 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 (Map Amendment, Rezoning) of the <u>El Paso County Land Development Code</u> (2019):

- 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 <u>Land Development Code</u>, for the intended zone district.

D. LOCATION

North: MHP (Mobile Home Park) Mobile Home Park
South: F-5 (Forestry and Recreation) Single-Family Dwelling

East: A-5 (Agricultural) Fort Carson

West: F-5 (Forestry and Recreation) Vacant

E. BACKGROUND

There are six (6) total parcels included in the request that comprise a total of 37.26-acres (Parcel Nos. 65303-00-017, 65303-00-022, 65304-00-009, 65304-01-001, 65312-00-007, 75000-00-236). Any division of land creating less than 35 acres occurring after July 17, 1972 that was not approved through the El Paso County subdivision approval process is considered an illegal division of land unless an exemption from subdivision has been approved. Parcel No. 65-30-300-017 was created by deed on August 31, 1993 and is considered an illegal division of land. Parcel No. 7500-000-236 was created by deed on March 28, 1997 and is considered an illegal division of land. Parcel No. 6530-300-022 was created by deed on March 26, 1996 and is considered an illegal division of land. Parcel No. 6530-400-009 was created by a subdivision exemption combination agreement on May 13, 2012 and is considered a legal division of land. Parcel No. 6531-200-007 was created by a subdivision exemption combination agreement in 1981 and is considered a legal division of land. Parcel No. 6530-401-001 was platted as Block 11 of the Rock Creek Mesa Subdivision Addition No. 2 in 1959.

All six parcels were zoned F-1 (Forest and Recreation) at the time of initial zoning for this portion of El Paso County on May 10, 1942. Due to changes in the nomenclature of the <u>Land Development Code</u>, the F-1 zoning district was renamed as the F-5 (Forestry and Recreation) zoning district.

F. ANALYSIS

1. Land Development Code Analysis

The subject property is located west of the intersection of Colorado Highway 115 and Cherokee Road and consists of six (6) parcels totaling 37.26 acres. The parcels range in size from 1.45 acres to 10.1 acres. All of the parcels included in the proposed map amendment (rezoning) are currently zoned F-5 (Forestry and Recreation), with the exception of Parcel No. 65303-00-017, which includes a 3.5-acre area of land zoned CC (Community Commercial). The surrounding neighborhood includes parcels zoned RM-30 (Residential Multi-dwelling), F-5 (Forestry and Recreation), and A-5 (Agricultural). The properties zoned A-5 (Agricultural) are located across Colorado State Highway 115, east of the subject parcels, and are included within the Fort Carson Army Base.

As detailed above, the area included in the proposed map amendment (rezoning) is adjacent to and in close proximity to urban density residential development.

Urban density is defined in Chapter 1 of the <u>Land Development Code</u> as:

"Land development of higher density and intensity which is characteristically provided with services of an urban nature (i.e. central water and sewer, fire hydrants, paved roads often with curb and gutter, and shorter emergency service response times). This category of development ordinarily includes most commercial, office and industrial uses and residential uses with densities of more than 1 dwelling unit per 2.5 acres."

A mobile home park is located in the northwestern portion of the neighborhood and borders one of the parcels proposed for rezoning. The mobile home park is 42.3 acres in size and consists of 203 dwelling units, for a total density of 4.8 dwelling units per acre.

The neighborhood surrounding the subject parcels consists of parcels ranging in size from 10,000 square feet to 1.5 acres. The majority of those parcels are developed with single-family detached dwellings and are currently zoned F-5 (Forestry and Recreation). The F-5 (Forestry and Recreation) zoning district has a minimum lot size requirement of five (5) acres. Most of the parcels in the surrounding neighborhood are considered legal non-conforming and were created prior to the initiation of subdivision regulations in the County. The remaining parcels are zoned RM-30 (Residential Multi-dwelling). Specifically, there are 21 parcels zoned RM-30 within the neighborhood. Of those parcels, over 90% of the parcels are currently undeveloped. The parcels were previously platted in 1959 and have been zoned RM-30 (Residential Multi-dwelling) since that time.

The subject parcels are located approximately one-half (1/2) mile south of the incorporated limits of the City of Colorado Springs. Those parcels located within the City are zoned for planned commercial business uses and urban density single-family residential uses. The subject parcels are also located directly west of the Fort Carson Army Base. There are high density housing units associated with base housing located approximately one (1) mile northeast of the subject property.

The proposed map amendment (rezoning) would allow for the development of 5,000 square-foot residential lots. The proposed density of the development

meets the definition of urban density and is compatible with the surrounding land uses. As such, the proposed rezoning appears to be consistent with the density and scale of development in the immediate neighborhood.

Should the request for a map amendment (rezoning) be approved, the applicant will need to complete subsequent subdivision applications (preliminary plan(s) and final plat(s)). The subdivision applications will need to demonstrate compliance with the standards included in Chapters 7 and 8 of the <u>Land</u> Development Code.

2. Zoning Compliance

The applicant is requesting to rezone 37.26 acres to the RS-5000 (Residential Suburban) zoning district. The RS-5000 (Residential Suburban) zoning district is intended to accommodate single-family and two-family developments. The density and dimensional standards for the RS-5000 (Residential Suburban) zoning district are as follows:

- Minimum lot size: 5000 square feet ***
- Minimum width at the front setback line: 50 feet
- Minimum setback requirement: front 25 feet, rear 25 feet (5 feet), side 5 feet ***
- Maximum lot coverage: 40%/45% ***
- Maximum Height: 30 feet
- * Minimum lot area applies to single-family detached dwellings. For two-family dwellings and all other uses a minimum lot area of 7,000 square feet is required.
- **If the building is established as or converted to condominium or townhome units in accordance with Chapter 7 of the <u>Code</u>, the building and lot shall meet the minimum lot area and setbacks requirements, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements. A 25-foot perimeter boundary setback shall be maintained around the entire development, but a zero-foot setback is allowed along any internal lot line within the development.
- ***Where a single-story ranch style residence is proposed, the maximum lot coverage may be 45% of the total lot area.

The area included in the map amendment (rezoning) request is comprised of a total of 37.22 acres. Subsequent subdivision applications will be required to ensure that the development complies with the standards in Chapters 7 and 8 of

the <u>Land Development Code</u> and the requirements of the <u>Engineering Criteria</u> <u>Manual</u>. If the rezoning and subsequent plat applications are approved, a site plan for each dwelling will be required for approval prior to construction. The site plans will need to provide a detailed depiction of the proposed residential use and compliance with all development standards for the district.

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 6.1.3 - Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.1.11 - Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 6.1.2 - Discourage the location of small discontiguous land development projects where these might not develop the critical land area and density necessary to be effectively provided with services or remain viable in the face of competing land uses.

Policy 6.1.6 - Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

Policy 6.2.11 - Encourage compatible physical character, density and scale in existing neighborhoods.

The proposed map amendment (rezoning) is intended to accommodate future single-family residential development. As discussed in the Land Development Code Analysis section above, the subject parcels are surrounded by similar zoning and high-density single-family residential subdivisions.

The proposed development on the property provides the potential for high density single-family and two-family residential development, which is consistent with goals in the <u>Plan</u>. Specifically, the property is surrounded by an existing neighborhood of similar scale and density (Policy 6.1.3 and Policy 6.2.11). The subject properties are contiguous to an existing single-family residential

neighborhood with lots ranging in size from 10,000 square feet to 1.5 acres in size. A significant portion of the neighborhood is currently zoned RM-30 (Residential Multi-dwelling District and this area could support a much higher density of residential development than what is currently proposed with this map amendment. The proposed map amendment (rezoning) would provide a balance of residential lot sizes within the existing neighborhood and would be consistent with the existing character of the neighborhood (Policy 6.1.1 and Policy 6.1.11)

Pursuant to goals and policies within the <u>Plan</u>, urban density development should be served by centralized services. As part of the proposed development, centralized water and wastewater services are proposed to be extended from Colorado Springs Utilities and operated by the Rock Creek Mesa Water District for the benefit of future residents of the community.

4. Small Area Plan Analysis

The parcels are located within the boundaries of the <u>Southwest Highway 115</u> <u>Comprehensive Plan</u> (1990) and are more specifically located within the Rock Creek Mesa sub-area. The <u>Plan</u> identifies the subject parcels as appropriate for suburban residential type development on lot sizes of one-half (1/2) acre or less. The <u>Plan</u> also indicates that the Rock Creek Mesa area should include a mix of uses and densities, including residential, business service, and forested land. Relevant goals and objectives are as follows:

Goal E2.D – The majority of the growth in the area should be located along Highway 115 in discreet nodes of integrated, internally oriented development. A Planned Unit Development (PUD) or similar concept is encouraged in order to cluster development, protect natural resources, and provide significant open space. Approval of such projects should be contingent on legal assurances that designated open space will remain so in perpetuity.

Goal D1.B – Encourage conservation and protection of the limited water resources of the planning area.

Goal B2.A – Development should be clustered along Highway 115 and utilize existing buffers to avoid creating a continuous front of development along the highway.

Goal D3.C – Development proposals in the planning area should be reviewed for wildfire hazards and wildfire mitigation measures

recommended. A review procedure with the Colorado State Forest Service may be used to accomplish this.

As noted in the Land Development Code Analysis and Policy Plan sections of this report above, the proposed map amendment is consistent with the character of the surrounding neighborhood. The proposed map amendment (rezoning) may be found to be compatible with the existing density of development in the neighborhood (Goal E2.D and Goal B2.A).

The <u>Plan</u> specifically identifies the neighborhood as appropriate for residential lot sizes of less than 0.5 acres and does not specifically limit the recommendation for minimum lot sizes. As such, the proposed zoning of RS-5000 may be found to be in compliance with the overall density goals of the <u>Plan</u> for the surrounding neighborhood. Additionally, the <u>Plan</u> specifically recommends that higher density residential development be clustered around existing nodes of development to limit the visual impact in the planning area and to create visual buffers between areas of higher density development (Goal B2.A).

The applicant's letter of intent indicates that in order to support the proposed residential development on the property, a service agreement between Rock Creek Mesa Water District (the existing service provider) and Colorado Springs Utilities will be entered into to provide centralized water and wastewater services to the neighborhood. The proposed extension of central services from Colorado Springs Utilities will provide a more reliable water source for future residents of the neighborhood and provide increased fire suppression capabilities (Goal D1.B and Goal D3.C). The proposed map amendment (rezoning) is consistent with this portion of the Plan.

5. Water Master Plan Analysis

The <u>El Paso County Water Master Plan</u> (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 1.2 – Integrate water and land use planning.

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.

The subject parcel is in Region 1 of the <u>El Paso County Water Master Plan</u> and is within the Rock Creek Mesa Water District service area. Region 1 has a current water supply of 99,001-acre feet per year and a current demand of 83,622-acre feet per year. The 2040 water supply is projected to be 119,001-acre feet per year and the projected demand is 111,086-acre feet. The 2060 water supply is projected to be 139,001-acre feet per year, whereas the demand is anticipated to be 138,453-acre feet per year; therefore, there is projected to be a surplus supply of water for central water providers in this region of the County.

A finding of water sufficiency is not required with a map amendment (rezone) but will be required with any future subdivision applications. The property is currently unplatted.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. Colorado Parks and Wildlife was sent a referral and did not provided comments at the time this report was prepared. Comments provided will be included in the hearing for the application at the July 15, 2021 Planning Commission meeting. The El Paso County Community Services Department, Environmental Services Division, was also sent a referral and have no outstanding comments.

The <u>Master Plan for Mineral Extraction</u> (1996) identifies mesa gravel 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, no severed mineral rights exist.

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

Please see the Transportation section below for information regarding conformance with the 2016 Major Transportation Corridor Plan (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

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

2. Wildlife

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

3. Floodplain

The properties are not located within a defined floodplain as determined from review of the FEMA Flood Insurance Rate Map panel number 08041C0950G, dated December 7, 2018.

4. Drainage and Erosion

The parcels are located within the Fort Carson (FOFO2200) drainage basin, which is an unstudied 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 subdivision stage at the time of final plat recordation. Drainage reports providing hydrologic and hydraulic analysis to identify and mitigate the drainage impacts of the development will also be required at the subdivision stage, as well as a grading and erosion control plan.

5. Transportation

The parcels are located west and southwest of the intersection of Highway 115 and Pawnee Road. Highway 115 is a Colorado Department of Transportation (CDOT) state highway that is categorized as an Expressway. Per the submitted traffic study, access to the parcels will be via proposed urban local roadways that will intersect the public roadways, specifically Pawnee Road and Cherokee Road.

Per comments provided by CDOT on April 19, 2021, updated access permits for access to State Highway 115 at the intersections of Pawnee Road and Cherokee Road will be required. The applicant will be required to submit the appropriate access permit applications to CDOT for the proposed development.

Roadway improvements consisting of upgrading Pawnee Road to a collector roadway and Commanche Road to an urban local roadway have been provided in Table 5 of the submitted traffic study. Additionally, intersection and auxiliary turn lane improvements at Highway 115 intersections with Pawnee Road and Cherokee Road have been identified in Table 5. CDOT has authority over any roadway improvements to Highway 115. Further details regarding the recommended improvements to Highway 115 will be addressed during the CDOT access permit process.

The El Paso County 2016 Major Transportation Corridors Plan Update does not depict roadway improvement projects in the immediate vicinity of the development. The development will be subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

H. SERVICES

1. Water

Central water service is currently provided by Rock Creek Mesa Water District. The applicant has indicated that future service will be provided by Colorado Springs Utilities through a service agreement with Rock Creek Mesa Water District.

2. Sanitation

The subject parcels are currently undeveloped and are not served by on-site septic systems or a centralized wastewater service. The applicant has indicated that future centralized wastewater service will be provided by Colorado Springs Utilities through a service agreement with Rock Creek Mesa Water District.

3. Emergency Services

The property is within the Southwestern Highway 115 Fire Protection District. The District was sent a referral and has no outstanding comments.

4. Utilities

Natural gas service and electrical service will be provided by Colorado Springs Utilities.

5. Metropolitan Districts

The subject parcel is included within the boundaries of Rock Creek Mesa Water District. The District provides centralized water and wastewater services to residents of the District. The district does not collect a mill levy.

6. Parks/Trails

The 2013 El Paso County Parks Master Plan does not show any proposed or existing trails within the area of the subject property. Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning) application, but they will be required at the time of recording the subsequent final plats.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a map amendment (rezoning) application, but they will be required at the time of recording the subsequent final plats.

I. APPLICABLE RESOLUTIONS

Approval Page 27 Disapproval Page 28

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. 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 <u>El Paso County Land Development Code</u> (2019), 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.
- Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RS-5000 (Residential Suburban) zoning district and with the applicable sections of the <u>Land Development Code</u> and <u>Engineering Criteria Manual</u>.

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.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 79 adjoining property owners on June 29, 2021, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map Letter of Intent Rezone Map

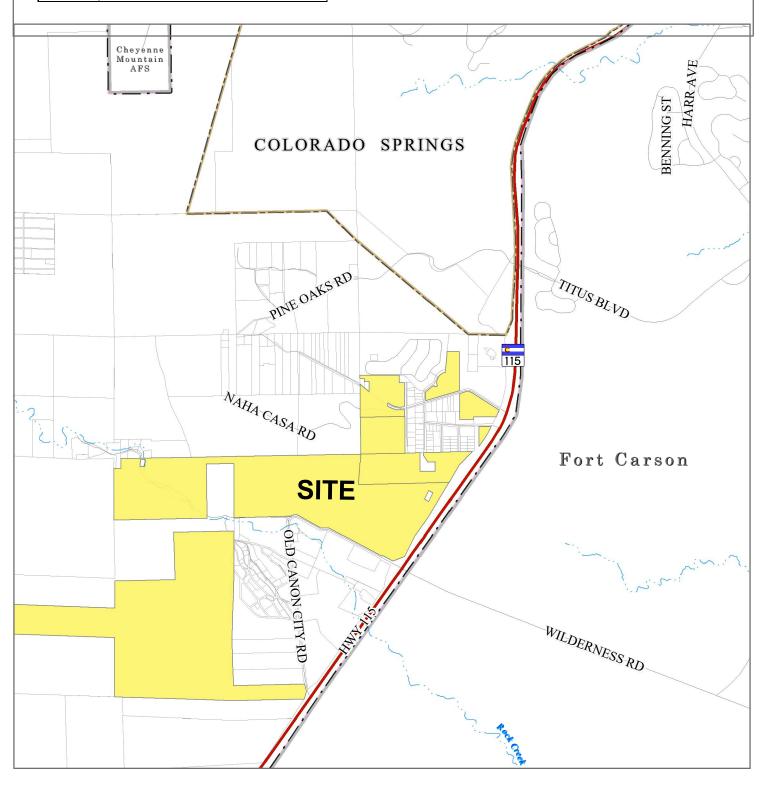
El Paso County Parcel Information

PARCEL	NAME
6530400009	NEW DIRECTION IRA INC FBO
6530401001	COLORADO SPRINGS EQUÍTIES LLC
6531200007	GOLDEN EAGLE RANCH LLC
6530300022	GOLDEN EAGLE RANCH LLC
6530300017	COLORADO SPRINGS EQUÍTIES LLC
7500000236	GOLDEN EAGLE RANCH LLC
7500000236	GOLDEN EAGLE RANCH LLC
7500000236	GOLDEN EAGLE RANCH LLC

File Name: P-20-009

Zone Map No. --

Date: June 28, 2021





ROCK CREEK MESA REZONE LETTER OF INTENT



VICINITY MAP

Owner/ Applicant: Colorado Springs Equities LLC

90 S Cascade Ave, Suite 1500 Colorado Springs, CO 80903

<u>Planner/ Civil Engineer:</u> Matrix Design Group

2435 Research Parkway, Suite 300 Colorado Springs, CO 80920

Tax Schedule No: 6530300022 (A Portion Of); 7500000236 (A Portion Of);

6531200007 (A Portion Of); 6530400009; 6530300017;

6530401001

Site Location, History, Size, Zoning:

Matrix Design Group on behalf of Colorado Springs Equities LLC is submitting a request for a rezone for a portion of the subdivision known as Rock Creek Mesa. The site contains numerous parcels as part of the Rock Creek Mesa community in El Paso County. The parcel areas are located off State Highway 115 accessed via Pawnee Road and Cherokee Drive south of Colorado Springs. The proposed parcels are surrounded by a mix of residential uses ranging from a Mobile Home park to large lot, single unit dwellings. The current zoning includes Forestry/ Recreation (F-5) and Commercial Community (CC).

Request & Justification:

The purpose of this application is to request approval of a Rezone for a portion of the Rock Creek Mesa subdivision. The proposed submittal seeks to rezone 37.262 acres from Forestry and Recreation (F-5)/ Commercial Community (CC) to Residential Suburban (RS-5,000) permitting a minimum size single-family lot of 5,000 square feet. The remaining Rock Creek Mesa area will remain zoned F-5, RM-30. A preliminary concept layout illustrates approximately 162 units. This preliminary concept plan will be the basis for future preliminary plan submittals at which time the number of units and proposed density will be determined. The proposed rezone parcels are part

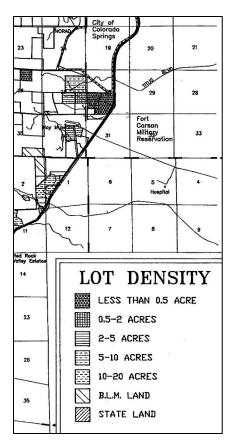


of the area wide Rock Creek Mesa Master Plan completed in 1971. This Master Plan illustrated 176 acres with 1,542 proposed residential units comprising of single-family detached, townhomes, apartments, a Mobile Home Park in addition to a school site, and commercial acreage.

El Paso County Approval Criteria, 1998 El Paso County Policy Plan, and Small Area Master Plan

The 1998 El Paso County Policy Plan establishes broad goals and policies intended to serve as a framework for

land use applications and development in the County. The County Wide Policy Plan ties the specific small area plans, and other Master Plan elements such as the Water Master Plan, Master Plan for Mineral Extraction, El Paso County Department of Parks and Leisure Services Master Plan and the Major Transportation Corridors Plan. The Policy Plan provides general direction in terms of water use, density, buffers, transitions, and infrastructure where no small area plan exists. The Rock Creek Mesa Rezone meets the requirements of these planning tools as outlined in more detail within the sections below.



The proposed rezone is part of the existing Southwestern/ Highway 115 Comprehensive Plan approved July 24, 1990. This Small Area Plan illustrates a lot density of 0.5 acre or less in the area of the Rock Creek Mesa. This master plan also identified a mix of zone and land uses to include Forest & Recreation, Mobile Home Park, Residential, Planned Business Park and Planned Business Center. The existing Rock Creek Mesa community area includes a 43-acre mobile home park; a mix of residential lots sized 10,000 square feet to over a half acre; vacant land; and a volunteer fire station.

The Southwestern/ Highway 115 Comprehensive Plan emphasizes a land use goal of "a majority of future development will likely be concentrated along Highway 115 where the natural constraints are limited". The requested Rezone application achieves this goal of future development by concentrating the proposed lots near Highway 115 and providing infill for vacant areas within Rock Creek Mesa. The proposed areas of development avoid areas of steep topography or areas with mature vegetation limiting impact to wildlife supporting the Hwy 115 Comp Plan Conservation Goal 1D Encourage Awareness and Appreciation of the Unique Character and Policy 2A and 2D clustering housing and design to blend in with the natural environment. The

areas to be developed are primarily vacant lots surrounded by existing residential uses.

Additionally, the requested Rezone would eliminate the Commercial Community designation to be more harmonious with the existing subdivision and eliminating potentially intense and adverse uses. The Commercial Community area to be revised as residential would be blended with the spacious density of the Forest & Recreation zoning to achieve the proposed residential RS-5000 zoning. The requested Rezone would also balance out the higher density of the adjacent mobile home park's 236 units on 43 acres by providing single-family residential lots. These intentional design elements support County Policies:

Policy 6.1.5: Support the development of well-planned mixed-use projects and

Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses

In addition, the rezone design approach meets the Southwest/ Hwy 115 Comp Plan: Land Use Goal 1C Encourage integrated, internally oriented developments sensitive to the area and Land Use Policy 2D Majority of growth should occur along Hwy 115 in discreet nodes of integrated, internally oriented development.

The existing topography of the site is mostly mild grade, draining to the east/ southeast towards Highway 115. Mountain frontage views angle to the south-southwest generally paralleling Highway 115. Another goal of the Comprehensive Plan is to "encourage an awareness and appreciation of the unique character and natural resources of the Planning Area in existing and future residents". This goal was further stated in the conservation policy "...development should be clustered in nodes along Highway 115 and utilize natural buffers to avoid creating a continuous

front of development along the highway". The proposed Rezone and Preliminary Concept Plan demonstrate this goal and policy by providing in-fill to the cluster of existing development at Rock Creek Mesa while preserving the open views and natural visual character of the Highway 115 corridor. The proposed rezone will not have a negative impact upon the existing and future development of the area, but rather remove the area zoned for Commercial Community and continue the neighboring feel of residential lots supporting County Policy:

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access

There is currently no utilities or drainage infrastructure in place to serve the rezone and future development areas included with this request. As part of future land development applications municipal services for water and wastewater will be extended to serve this development atop Rock Creek Mesa. In addition, all drainage and stormwater impacts will be mitigated as required by both El Paso County and the State of Colorado. Water and wastewater sufficiency will be provided with future preliminary plan submittals. The extension of municipal services supports:

Policy 6.1.1: Allow for a balance of mutually supporting interdependent land uses

The Comprehensive Plan identifies the area of Rock Creek Mesa subdivision as having soil constraints for building sites ranging from slight to moderate-severe. The proposed Rezone area would utilize mostly the "slight" soil constraint areas, avoiding steep unstable slopes. Any required preliminary soils investigations or Geological Hazards Studies will be completed as required with future land development applications.

Total Number of Residential Units, Density, and Lot Sizes: Detailed preliminary plan and final plat submittals will finalize lot layout and proposed density. The 162 Single-Family Detached Residential Units on 37.262 acres creates a density of 4.35 DU/ Acre. The minimum lot size shall be 5,000 SF as required under the RS-5000 zoning guidelines.

Types of Proposed Recreational Facilities:

There are no recreational facilities being proposed with this application for rezone. Potential trail corridors within the proposed project limits will be coordinated during the preliminary plan and final plat submittals as part of the detailed lot layout.

Total Number of Industrial or Commercial Sites:

There are no proposed commercial or industrial sites proposed as a part of the plan.

Traffic and Proposed Access Locations:

Primary access to the Rock Creek Mesa subdivision will be via existing Pawnee Drive providing access to several of the proposed parcel areas. Additional connections and access points will be provided via Piute Drive, Comanche Road and Cherokee Drive. All existing roadways are public and will remain public. There is no individual lot access proposed to Highway 115. A Traffic Impact Study completed as part of this submittal assumes conversion of the Cherokee/SH 115 intersection to a right-in/right-out as request by CDOT to help improve safety in the area. The intersection of Pawnee/SH 115 is projected to meet a four-hour traffic signal warrant with the conversion of Cherokee/SH 115 to a right-in/right-out intersection based on site-generated traffic. The potential future development and resulting trip generation of the parcel northwest of SH 115/Pawnee would also likely add turning movements which could result in the future need for

the signal. Due to the potential future need to signalize the intersection of Pawnee/SH 115, and the need to mitigate the intersection spacing of less than one-mile along Highway 115, the future signal would need to be a "directional" signal with the channelized T configuration. The recommended classification for Pawnee is Urban Collector from SH 115 to 1,100 ft west of SH 115 and Urban Local from this point west to Comanche Road as illustrated in the traffic report. West of this point, the recommended roadway classification is for Pawnee to remain a Rural Local roadway. All other existing roadways will remain as existing Rural Local roads. The existing roadways in the community may be improved for the benefit of the existing residents as well as to improve safety to better serve the community.

All proposed roadways as part of new development will be built as urban local residential roadways. Internally designed streets will provide a combination of looped circulation patterns and cul-de-sacs as illustrated in the preliminary concept plan.

The proposed rezone meets the Southwest/ Hwy 115 Transportation *Policy 2B Limit Hwy 115*Access Points and Policy 2C Existing Access Points should be improved in conjunction with Policy 2B.

Phasing Plan:

There is no phasing plan for this development as it will be developed in one phase.

Areas of Required Landscaping:

The proposed development does not require any landscaping; however, landscape setbacks and buffers will be provided as required with future development plan submittals. All tracts shall be owned and maintained by the Rock Creek Metropolitan District and/ or a Homeowner's Association.

Approximate Acres and Percent of Land Set Aside for Open Space:

There is no open space required with the Rezone. Any land set aside for open space will be illustrated with future preliminary plan submittals.

Water and Wastewater Services:

Water and Wastewater municipal services will be supplied by Colorado Springs Utilities (CSU) through a service agreement with the Rock Creek Metropolitan District. The Rock Creek Metropolitan District will own and maintain all proposed utility mains and service lines per the service agreement. Any required utility easements to be provided on adjacent properties will be acquired as necessary to allow for proper utility installation. Approval and granting of any required utility easements will be completed as necessary with future land development applications.

El Paso County Water Master Plan:

The Rock Creek Mesa development area as illustrated within the rezone boundaries as part of this application is located within Region 1 (Colorado Springs Area) of the Water Master Plan. Region 1 is comprised almost entirely within the City of Colorado Springs city limits and is only projected to have one significant growth area in the unincorporated part of the County by 2040. This development is Rock Creek, of which this rezone is a part. The Region 1 growth area can be found on the Region 7 Map. The Rock Creek Mesa development is currently located within the potential service area of the Rock Creek Mesa Water District; however, as the Rock Creek Mesa Water District lacks capacity to serve the land subject to this rezone application, the Rock Creek Mesa

development proposed herein will seek to obtain municipal services for water and wastewater supply from Colorado Springs Utilities (CSU). The Rock Creek Metropolitan District is seeking to enter into a service agreement with CSU for these services. The Rock Creek Metropolitan District currently has approval to begin construction of these utilities bringing water, wastewater and fire protection services to the Rock Creek Mesa. While many of the existing homes within the area are on well or cistern provided water supply, there are no proposed wells or individual septic systems within this development. The Rock Creek Mesa development will seek the Colorado State Engineer's sufficiency of water finding for both quantity and quality with future Preliminary Plan permitting administrative review of the final plats.

The Rock Creek Mesa Rezone meets the stated master plan Goals and Policies through integrated master planning of site design, extension of municipal services, and water resource best management practices:

- Goal 1.2 Integrate water and land use planning
- Goal 4.2 Support the efficient use of water supplies
- Goal 6.1.2 Promote water conservation

Master Plan for Mineral Extraction:

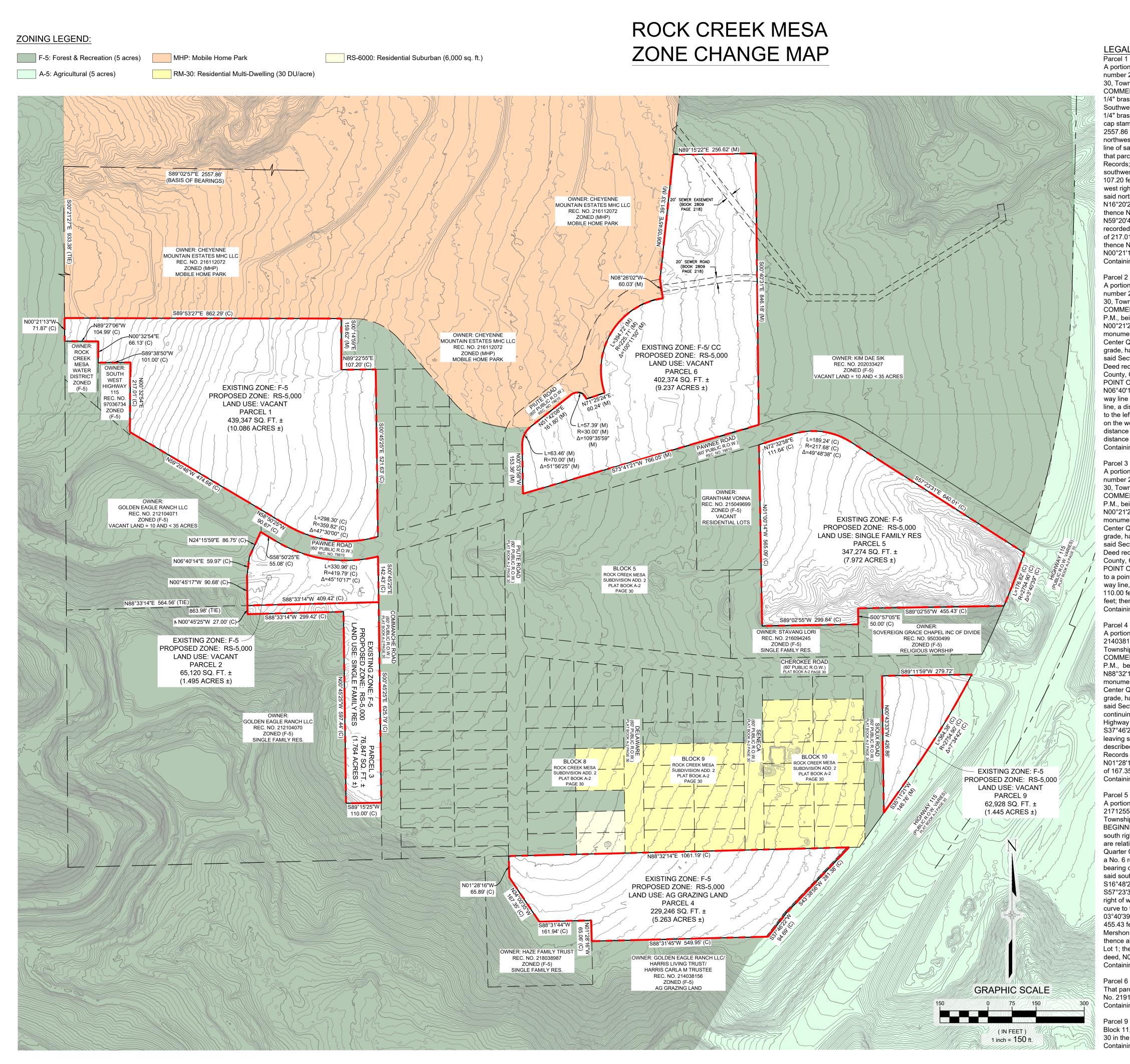
The 1996 Master Plan for Mineral Extraction updates and supersedes the 1975 El Paso County Master Plan for Mineral Extraction of Commercial Mineral Deposits as amended in 1978 and 1982. This updated plan has two primary purposes, the first is to facilitate continued compliance with the mineral resource protection mandates outlined in the "Preservation of Commercial Mineral Deposits Act" of 1973 and the second is to provide guidance to the EL Paso County Planning Commission and Board of County Commissioners in evaluating land use proposals involving new or expanded mining and mineral resource processing operations. Per the El Paso County Master Plan for Mineral Extraction Aggregate Resource Maps, this site is identified as 'Mesa Gravel' containing sand and gravel with silt and clay deposited by older streams and slope wash on upland mesas which slope gently from the mountains. The proposed project does not contain any mineral deposits of commercial value and does not permit the use of any area containing a commercial mineral deposit which would unreasonably interfere with the present or future extraction of such deposits.

Proposed Services:

Water: Colorado Springs Utilities
 Wastewater: Colorado Springs Utilities
 Gas: Colorado Springs Utilities
 Electric: Colorado Springs Utilities

5. Fire: SW Hwy 115 Fire Protection District6. Police Protection: El Paso County Sheriff's Department

7. School: Fountain Fort Carson #8



LEGAL DESCRIPTION:

A portion of that parcel described in that Warranty Deed recorded September 7, 2012 under reception number 212104071 in the Official Records of El Paso County, Colorado, , lying within the S1/2 of Section 30, Township 15 South, Range 66 West, of the Sixth P.M., being more particularly described as follows: COMMENCING at the West Quarter Corner of said Section 30, being monumented by a 2" pipe with a 3 1/4" brass cap, flush with grade; thence S00°21'27"E, (Bearings are relative to the North line of the Southwest Quarter of said Section 30, being monumented at the West Quarter Corner by a 2" pipe with a 3 1/4" brass cap, flush with grade, and at the Center Quarter Corner by a No. 6 rebar with a 3 1/4" aluminum cap stamped, "PLS 19825" flush with grade, having a measured bearing of S89°02'57"E and a distance of 2557.86 feet), along the west line of said south 1/2 of said Section 30, a distance of 933.38 feet, to the northwest corner of said parcel, being the POINT OF BEGINNING; thence S89°53'27"E, along the north line of said parcel described in said Warranty Deed, a distance of 862.29 feet, to the northwest corner of that parcel described in that Quit Claim Deed recorded under reception no. 216112072 in said Official Records; thence S00°14'59"E, along the west line of said parcel, a distance of 159.62 feet, to the southwest corner of said parcel; thence N89°22'55"E, along the south line of said parcel, a distance of 107.20 feet, to a point on the west right of way line of Commanche Road; thence S00°45'25"E, along said west right of way line, 521.63 feet, to a point on the north right of way line of Pawnee Road; thence along said north right of way line, along the arc of a non-tangent curve to the right, whose center bears N16°20'24"W, having a radius of 359.82 feet, a central angle of 47°30'00", a distance of 298.30 feet; thence N58°50'25"W, continuing along said north right of way line, a distance of 90.67 feet; thence N59°20'46"W, a distance of 474.68 feet, to a point on the east line of that parcel described in document recorded under reception no. 97036734; thence N00°32'54"E, along the east line of said parcel, a distance of 217.01 feet; thence S89°38'50"W, along 101.00 feet; thence N00°32'54"E, a distance of 66.13 feet; thence N89°27'06"W, a distance of 104.99, to a point on the west line of said Section 30; thence N00°21'13"W, along said west line, a distance of 71.87 feet, to the POINT OF BEGINNING. Containing 439,347 Sq. Ft. or 10.086 acres, more or less.

A portion of that parcel described in that Warranty Deed recorded September 7, 2012 under reception number 212104071 in the Official Records of El Paso County, Colorado, , lying within the S1/2 of Section 30, Township 15 South, Range 66 West, 6th P.M., being more particularly described as follows: COMMENCING at the Southwest Corner of Section 30, Township 15 South, Range 66 West, of the Sixth P.M., being monumented by a 2 1/2" aluminum cap stamped, "PLS 28658" flush with grade; thence N00°21'27"W. (Bearings are relative to the North line of the Southwest Quarter of said Section 30, being monumented at the West Quarter Corner by a 2" pipe with a 3 1/4" brass cap, flush with grade, and at the Center Quarter Corner by a No. 6 rebar with a 3 1/4" aluminum cap stamped, "PLS 19825" flush with grade, having a measured bearing of S89°02'57"E and distance of 2557.86 feet), along the west line of said Section 30, a distance of 802.58 feet, to the southwest corner of the land described in that Warranty Deed recorded September 7, 2012 under reception number 212104071 in the Official Records of El Paso County, Colorado; thence N88°33'14"E, along the south line of said parcel, a distance of 564.56 feet, to the POINT OF BEGINNING; thence leaving said south line, N00°45'17"W, a distance of 90.68 feet; thence N06°40'14"E, a distance of 59.97 feet; thence N24°15'59"E, a distance of 86.75 feet, to the south right of way line of Pawnee Road, if extended north westerly; thence S58°50'25"E, along said south right of way line, a distance of 55.08 feet; thence continuing along said south right of way line, along the arc of a curve to the left, having a radius of 419.79 feet, a central angle of 45°10'17", a distance of 330.96 feet, to a point on the west right of way line of Commanche Road; thence S00°45'25"E, along said west right of way line, a distance of 142.43 feet, to a point on said south line; thence S88°33'14"W, along said south line, a distance of 409.42 feet, to the POINT OF BEGINNING. Containing 65,120 Sq. Ft. or 1.495 acres, more or less.

A portion of that parcel as described in that Warranty Deed recorded September 7, 2012 under reception number 212104072 in the Official Records of El Paso County, Colorado, lying within the S1/2 of Section 30, Township 15 South, Range 66 West, 6th P.M., being more particularly described as follows: COMMENCING at the Southwest Corner of Section 30, Township 15 South, Range 66 West, of the Sixth P.M., being monumented by a 2 1/2" aluminum cap stamped, "PLS 28658" flush with grade; thence N00°21'27"W, (Bearings are relative to the North line of the Southwest Quarter of said Section 30, being monumented at the West Quarter Corner by a 2" pipe with a 3 1/4" brass cap, flush with grade, and at the Center Quarter Corner by a No. 6 rebar with a 3 1/4" aluminum cap stamped, "PLS 19825" flush with grade, having a measured bearing of S89°02'57"E and distance of 2557.86 feet), along the west line of said Section 30, a distance of 802.58 feet, to the southwest corner of the land described in that Warranty Deed recorded September 7, 2012 under reception number 212104071 in the Official Records of El Paso County, Colorado; thence N88°33'14"E, along the south line of said parcel, a distance of 564.56 feet, to the POINT OF BEGINNING; thence continuing along said south line, N88°33'14"E, a distance of 409.42 feet, to a point on the west right of way line of Commanche Road; thence S00°45'25"E, along said west right of way line, a distance of 625.79 feet; thence S89°15'25"W, leaving said west right-of-way line, a distance of 110.00 feet; thence N00°45'25"W, a distance of 597.44 feet; thence S88°33'14"W, a distance of 299.42 feet; thence N00°45'25"W, a distance of 27.00 feet, to the POINT OF BEGINNING. Containing 76,847 Sq. Ft. or 1.764 acres, more or less.

Parcel 4

A portion of that parcel as described in that Warranty Deed recorded May 7, 2014 under reception number 214038156, in the Official Records of El Paso County, Colorado, lying within the NW1/4 of Section 31, Township 15 South, Range 66 West, 6th P.M., being more particularly described as follows: COMMENCING at the Southwest Corner of Section 30, Township 15 South, Range 66 West, of the Sixth P.M., being monumented by a 2 1/2" aluminum cap stamped, "PLS 28658" flush with grade; thence N88°32'14"E, (Bearings are relative to the North line of the Southwest Quarter of said Section 30, being monumented at the West Quarter Corner by a 2" pipe with a 3 1/4" brass cap, flush with grade, and at the Center Quarter Corner by a No. 6 rebar with a 3 1/4" aluminum cap stamped, "PLS 19825" flush with grade, having a measured bearing of S89°02'57"E and a distance of 2557.86 feet) along the south line of said Section 30, a distance of 1374.60 feet, to the POINT OF BEGINNING; thence N88°32'14"E, continuing along said south line, a distance of 1061.19 feet, to a point on the west right of way line of Highway 115; thence S43°38'56"W, along said west right of way, a distance of 281.38 feet; thence S37°46'22"W, continuing along said west right of way line, a distance of 94.69 feet; thence S88°31'45"W, leaving said west right of way line, a distance of 549.95 feet, to a point on the easterly line of that parcel described in that Warranty Deed recorded April 6, 2018 under reception no. 218038987 in the Official Records of El Paso County, Colorado, thence along said easterly line the following four (4) courses; N01°28'16"W, a distance of 65.06 feet; S88°31'44"W, a distance of 161.94 feet; N34°00'35"W, a distance of 167.35 feet; N01°28'16"W, a distance of 65.89 feet, to the POINT OF BEGINNING. Containing 229,245 Sq. Ft. or 5.263 acres, more or less.

A portion of the land described in that Quit Claim Deed recorded October 17, 2017 under reception number 217125519 in the Official Records of El Paso County, Colorado, lying within the S1/2 of Section 30, Township 15 South, Range 66 West, 6th P.M., being more particularly described as follows: BEGINNING at the northwest corner of the land described in said Quit Claim Deed, being a point on the south right of way line of Pawnee Road; thence along said south right-of-way line, N72°32'58"E, (Bearings are relative to the North line of the Southwest Quarter of said Section 30, being monumented at the West Quarter Corner by a 2" pipe with a 3 1/4" brass cap, flush with grade, and at the Center Quarter Corner by a No. 6 rebar with a 3 1/4" aluminum cap stamped, "PLS 19825" flush with grade, having a measured bearing of S89°02'57"E and a distance of 2557.86 feet) a distance of 111.64 feet; thence continuing along said south right of way line, along the arc of a non-tangent curve to the right, whose center bears S16°48'21"E, having a radius of 217.68 feet, a central angle of 49°48'38", a distance of 189.24 feet; thence S57°23'31"E, continuing along said south right of way line, a distance of 640.01 feet, to a point on the west right of way line of Highway 115; thence along said west right of way line along the arc of a non-tangent curve to the right, whose center bears N70°59'39"W, having a radius of 2754.90 feet, a central angle of 03°40'39", a distance of 176.83 feet; thence S89°02'55"W, leaving said west right of way line, a distance of 455.43 feet; thence S00°57'05"E, a distance of 50.00 feet, to the easterly most northeast corner of Lot 1, Mershon Subdivision, recorded 4 May, 2007 under reception number 207712576 in said Official Records; thence along the north line of said Lot 1, S89°02'55"W, a distance of 299.84 feet, to an angle point of said Lot 1; thence along the east line of said Lot 1 and the east line of the land described in said Quit Claim deed, N01°00'14"W, a distance of 565.09 feet, to the POINT OF BEGINNING. Containing 347,274 Sq. Ft. or 7.972 acres, more or less.

That parcel as described in that Special Warranty Deed recorded on December 18, 2019, under Reception No. 219160847 in the records of the El Paso County Clerk and Recorder's Office Containing 402,374 Sq. Ft. or 9.237 acres, more or less.

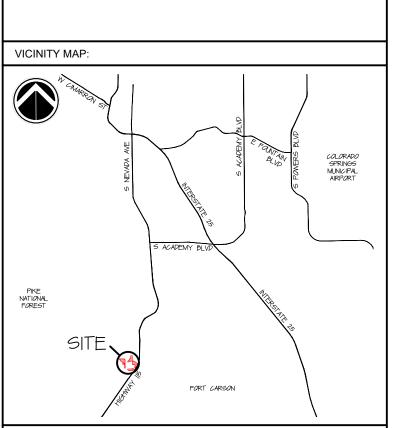
Block 11, Rock Creek Mesa Subdivision Addition No. 2 recorded March 11, 1959, in Plat Book A-2, Page 30 in the records of El Paso County Clerk and Recorder's Office. Containing 62,928 Sq. Ft. or 1.445 acres, more or less.

CONSULTANTS:

2435 RESEARCH PARKWAY, SUITE 300 COLORADO SPRINGS, CO 80920 PHONE: (719) 575-0100 AX: (719) 575-0208

WNER/DEVELOPER:

COLORADO SPRINGS EQUITIES LLC 90 S CASCADE AVE. SUITE 1500 COLORADO SPRINGS, CO 80903 (719) 400-7320



ROCK CREEK MESA

REVISION HISTORY:

EL PASO COUNTY, COLORADO SECOND SUBMITTAL: FEBRUARY 12, 2021

	NO.	DATE	DESCRIPTION	BY
	0	11/23/2020	INITIAL SUBMITTAL	RAF
	1	02/12/2021	REVISED PER COUNTY COMMENTS	RAF
	DRA	WING INFORM	MATION:	
PROJECT NO:		JECT NO:	20.224.011	
	DRAWN BY:		RAF	
CHE		CKED BY:	JRA	

APPROVED BY: JRA SHEET TITLE:

ZONE MAP

ZC01

SHEET 01 OF 01

PCD FILE NO.