

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting
Tuesday, June 4, 2019
El Paso County Planning and Community Development Department
2880 International Circle, Hearing Room
Colorado Springs, Colorado 80910

REGULAR HEARING

9:00 a.m.

PRESENT AND VOTING: BRIAN RISLEY, TOM BAILEY, KEVIN CURRY, JOAN LUCIA TREESE, SHARON FRIEDMAN, ALLAN CREELY, JANE DILLON

PRESENT AND NOT VOTING: SARAH BRITAIN JACK AND BECKY FULLER

ABSENT: GRACE BLEA-NUNEZ AND PETER AURICH

STAFF PRESENT: CRAIG DOSSEY, MARK GEBHART, NINA RUIZ, KARI PARSONS, JEFF RICE, GILBERT LAFORCE AND EL PASO COUNTY ATTORNEY COLE EMMONS

OTHERS SPEAKING AT THE HEARING: JOHN MAYNARD, MARK BELLES, JUDY VON AHELFELDT, DAVE ELLIOTT, ANDREA BARLOW, MARY SUE McCUNE, BRUCE McKEAN, KENT GEIB, AND DAVID KING

Report Items

1. Annual Meeting and Election of Officers

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

The voting members for Election of Officers are **Curry, Creely, Lucia-Treese, Brittain Jack, Fuller, Bailey, Friedman, and Dillon.**

Ms. Lucia-Treese nominated **Mr. Risley** as Planning Commission Chair. **Mr. Risley** accepted the nomination. Ms. Friedman nominated **Mr. Curry** as Chair. **Ms. Dillon** made a motion to close nominations and **Ms. Lucia-Treese** seconded. Motion passed unanimously to close nominations. Motion passed 6-2 to appoint **Mr. Risley** as Planning Commission Chair. **Ms. Friedman** nominated **Mr. Curry** as Vice Chair. **Ms. Lucia-Treese** nominated **Mr. Bailey** as Vice Chair. **Mr. Curry** and **Mr. Bailey** accepted the nominations. **Ms. Dillon** made a motion to close nominations and **Ms. Lucia-Treese** seconded the motion. Motion passed to close nominations. The motion passed 5-3 for **Mr. Bailey** as Vice Chair.

2. Report Items -- Planning and Community Development Department – Mr. Dossey

- A.** The next scheduled Planning Commission meeting is for **Tuesday, June 18, 2019.**
- B.** New login and password information will be coming soon for the OnBoard Passageways portal.
- C.** **Mr. Dossey** gave an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting as well as a Planning and Community Development progress report of permits and projects in process.
- D.** The Board of Adjustment is open to one more Planning Commission member to serve on both Commissions. Please let Ms. Garcia know if you are interested in serving on the BOA.

3. Consent Items

- A. Approval of the Minutes – May 7, 2019**
The minutes were approved as presented. (7-0)

REGULAR ITEMS

Regular Items

4. SKP-18-004

PARSONS

**SKETCH PLAN
MEADOWLAKE RANCH**

A request by Daniel Ferguson for approval of a sketch plan for 307 acres zoned A-35 (Agricultural). The property is located at the northwest corner of the Judge Orr

Road and Highway 24 intersection. (Parcel No. 42000-00-264) (Commissioner District No. 2)

Ms. Parsons asked **Mr. Emmons** to go over the review criteria for a sketch plan and then gave her presentation to the Planning Commission.

Mr. John Maynard, NES, Inc., representing the owners gave his presentation to the Planning Commission.

Ms. Friedman – Thank you for your clear and comprehensive presentation. What are the transitions between urban development and industrial? **Mr. Maynard** – The wetlands will create a buffer between the developments. There will be internal buffering, and the open space may also become some of the buffer.

Mr. Curry – Do you have a will serve letter from Woodmen Hills? **Mr. Maynard** – Not at this point. It's not a commitment until we do more engineering. We have asked if they can serve, and they have responded they can, but we do not have a will serve letter at this point.

Mr. Risley – Do you anticipate the densities will change when you get the flight path data? **Mr. Maynard** – There will be no significant changes.

Mr. Curry – We have to weigh in on what is presented to us today and not what was discussed, is that correct? **Mr. Emmons** – The sketch plan is conceptual. I don't think that the information with regards to what it may become is set in stone yet, so the best consideration is the plan in front of you. It won't change much; the western boundary line of the industrial may shift slightly. It will not affect the substantive design.

Mr. Dossey – We have the authority to do administrative amendments of sketch plans if the acreage hasn't changed or its minor revisions to lots, etc.

Ms. Parsons gave her full presentation to the Planning Commission.

Mr. Jeff Rice gave the engineering report/findings to the Planning Commission.

IN FAVOR: NONE

IN OPPOSITION:

Mr. Mark Belles – I'm a northern adjacent property owner. I have objections to some of the details. I am not in favor of the expansion of the area to the north. The five County policies that are detailed, in my opinion, are not met. The buffer area is barely one lot to the north. Properties are not protected from industrial impacts. Hard line boundaries should be met with regard to industrial and commercial lines.

Preserve visual resources such as Pikes Peak is not considered. Open space should be placed along the ridge line for more buffer.

Ms. Judy Von Ahelfeldt – I wanted to speak on trails and wetlands. I understand the ability of trails to connect to the regional trail, but I don't see how there will be connections within the industrial or commercial areas. With regard to wetlands, there is a culvert blowout to the east. I did not see that addressed. There is a high alluvial area that needs addressed. I would recommend that this not be approved today and that the issues be resolved prior to approving the sketch plan. The wetlands and drainage areas need further study as well as the buffer areas.

Mr. Dave Elliott – I want to express gratitude for the cooperation that we have had with the applicants. There are compatible uses of land around airports. Our airport master plan was signed off on last week, so we will be moving forward to establish with the County those compatible uses. We have safety concern. This area is right off the end of the runway. The runway protection zone is where crashes occur. This property is off airport landings. We want to see an appropriate plan of development that allows an escape avenue for pilots and protects those on the ground.

Mr. Creely – What is the time period that you are showing your data? Mr. Elliott – this is just general info, not actual data. There is no statistical data on this particular property, but we have had to rescue pilots in this area.

Mr. Maynard had an opportunity for rebuttal. The wetlands report showed delineated results. The wetlands are not within the commercial area. There is a drainage channel and it has been addressed. We would work with the airport in creating a road system within those areas that Mr. Elliott spoke about. That is a design detail that will occur at a later date. Regarding trails, the map shows how that access is obtained through the residential and open space as well as around the commercial area. We agree with the conditions and notations.

DISCUSSION:

Mr. Creely – As explained by the attorney, we are to focus on review criteria, I believe they have addressed the criteria. There are ways to argue the small area plans and whether it meets the surrounding area, but I think there are some issues that we will see in the next phase of the application process. For example, the buffer between industrial and residential will be something I watch for. Open space and safety areas for the airport will also be areas that I will be watching for in the future.

Ms. Lucia-Treese – Based on the criteria presented to us today as a conceptual plan, I believe staff and NES have made a good presentation. We are here to discuss the criteria on a conceptual plan not the issues down the road.

Ms. Friedman – I agree with my colleagues. This is conceptual. The public meeting and the business meeting in Falcon for the County Master Plan showed strong support for commercial nodes in the area.

Mr. Curry – I take a slightly different approach to this. I am acutely aware of safety in takeoff and landing around airports. I am strongly encouraged by all the discussion. Had I seen the revised sketch plan as it was discussed, I might have had a different view. We have residential plans directly under flight paths. But based on what I've been presented according to our criteria, I am concerned about safety and I will be voting against this project.

Mr. Bailey – Clarification brought up by Mr. Curry's comments, we have the ability to approve the sketch plan with the changes that were discussed. The industrial and residential areas would be revised slightly. **Ms. Parsons** – That is correct.

PC ACTION: LUCIA-TREESE MADE A MOTION/DILLON SECONDED TO APPROVE REGULAR ITEM #4 FOR SKP-18-004 FOR A SKETCH PLAN FOR MEADOWLAKE RANCH UTILIZING RESOLUTION PAGE 25, MORE PARTICULARLY DESCRIBED ON PAGE 19-034 WITH EIGHT (8) CONDITIONS AND THREE (3) NOTATIONS NOTING A REVISION TO CONDITION NO. 7 AS PRESENTED AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED. (6-1) MR. CURRY WAS THE NAY VOTE.

5. CC-18-001

RUIZ

**MAP AMENDMENT (REZONE)
WINSOME COMMERCIAL**

A request by McCune Ranch, LLC, for approval of a map amendment (rezoning) of 7.88 acres from the A-35 (Agricultural) zoning district to the CC (Commercial Community) zoning district. The property is located at the northwest corner of the Hodgen Road and Meridian Road intersection. (Parcel No.: 51000-00-493) (Commissioner District No. 1)

Ms. Ruiz asked **Mr. Emmons** to go over the review criteria for a map amendment and preliminary plan and then gave her combined presentation to the Planning Commission.

Ms. Andrea Barlow, NES, Inc. gave her presentation to the Planning Commission.

Mr. Curry – Is the plan viable if the Title 32 Special District is disapproved? **Ms. Barlow** – We do not believe there is any reason for it to be disapproved. We are moving forward on the assumption that it will be approved. In our opinion, we are meeting all the requirements.

Mr. Curry -- MVEA opposes the application, could you explain why? **Ms. Barlow** – There is an ongoing situation between MVEA and the County regarding right of ways. We have proposed an easement for MVEA that is in addition to the required amount.

Ms. Friedman – The southwest corner looks like it's buffered with power lines. **Ms. Barlow** – There is a 300 foot utility easement for power lines. Those lots are around 4 acres to accommodate the utility easement.

Ms. Friedman – Regarding traffic, isn't it hard to predict the traffic if you don't know what kind of commercial users you'll have? **Ms. Barlow** – There are notes in the traffic report that give that assessment based on mixed commercial users.

Mr. Risley – The lots that you are seeking shared driveways, would one lot actually own the driveway and one not? **Ms. Barlow** – The driveway would be owned by one lot or the other and the other would have an easement. Having the shared driveways limits the access.

Ms. Ruiz gave her full presentation to the Planning Commission.

Mr. Gilbert LaForce gave his engineering report and findings to the Planning Commission with regard to floodplain, transportation, and drainage.

Ms. Friedman – Hodgen Road is a minor arterial, and I understood that we were trying to minimize access points off Hodgen. **Mr. LaForce** – As long as they are ¼ mile away, they are approved for that road classification. The deviation that was approved is about an 1/8 of a mile with off-site improvements as their justification.

IN FAVOR:

Ms. Mary Sue McCune – We are the property owners of the property and have been for over 100 years. We believe that this is the highest and best use of the property.

Ms. Von Ahelfeldt – I think this overall an excellent plan. I do have concerns regarding the elk and wildlife in the area as well as the promised expansion of Hodgen Road. The trails continue to be an issue. I'd like to see a perimeter trail and not just the use of roads. The lack of emergency egress is a concern.

IN OPPOSITION:

Mr. Bruce McKean – I am very concerned about the safety of the intersections and traffic at Hodgen and Meridian. We need to consider widening and extending Meridian. I am also concerned about water and septic. Regarding the commercial

property, it needs moved to the west part of the property for traffic and safety sake. In summary, high speed, low-visibility hills are problems.

Mr. Kent Geib – In addition to the other concerns, it's about a quality of life for me. There is a difference in the attitudes of people in a 5 acre subdivision versus those who live in a 2.5 acre subdivision. I do want to say that the applicants' representative and staff have done a great job of mitigating concerns.

Mr. David King – Our objection is not to go against the owners. We appreciate the changes that the developers have brought forward. I'm still in strong opposition of the rezone. We have unobstructed views of the mountains and prairies. I also understand that you can't stop progress. I'm advocating that there be no rezone. There will be significance difference in the people that are attracted to the area based on size of lots proposed. The planned open space is appreciated.

Ms. Barlow had an opportunity for rebuttal. She clarified the number of 5-acre parcels. With regard to trails, the County dictates what goes in the right of way. We are planning on those trail connections both internally and externally. The Metro District will maintain the trails and open space. Regarding emergency access, we left a tract purposely to provide an outlet to the edge of the property. With regard to wildlife, the main corridor is maintained throughout the open space. Traffic levels are low levels based on the assessment of levels of service. Blind hills and sight access have been considered in placement of intersections and access. All traffic requirements have been met. Water sufficiency in Dawson aquifer has been established. We are proposing less lots than the actual 5 acres allowed. The open space will be protected. Road impact fees will be paid for County road improvements.

Mr. Dossey – With regard to MVEA and 1041 regulations, we are currently in litigation. We made a request of the developer, essentially at the last minute, for a conceptual easement that affords MVEA to comply with the County's 1041 requirements. I greatly appreciate the developer working with the County. That improves our relationship with the developer, but it also works with MVEA.

Mr. Risley – Even if it doesn't get used by the utility provider, it still provides an additional buffer.

DISCUSSION:

Ms. Lucia-Treese – I'd like to make a comment that when you make generalizations about people that RR-5 people are rural and RR-2.5 are city. My lot is considerably smaller than 2.5 acres, but we moved out there for the quality of life in not living in the City of Colorado Springs. I caution you to not make division between lot size owners. It's not a fair generalization.

Ms. Friedman – I think density is the issue. And if you think about wells and septic, then you see how many wells and septic. The environmental standpoint is still the same. The feeling is different because of the density. No matter how lots are clustered, it's about how it feels too. The road is absolutely horrible. There are huge trucks and bicycles at the same area. We need to get a higher priority to get those roads addressed sooner.

Mr. Curry – I have serious concerns about the traffic, particularly with left turns into that area. When I look at the review criteria and master plan compliance, the lots are considered rural in size, the commercial area will be small and serve the community, and I look at it with reservations to the access and the 2060 MTCP. However, overall the application conforms with the Master Plan and have maintained the rural nature. There may be time to improve the traffic issues later. I will be voting in favor.

Mr. Creely – I agree with Mr. Curry. I too have issues with the traffic. We get to view this traffic at this level, and then we get to see the next one. We start adding them together and we may have a serious problem. I agree with Mr. Curry.

Mr. Emmons – There are three separate applications, a rezone for commercial, a rezone for residential, and a preliminary plan. If either of the rezones are denied, the preliminary plan may not be approved.

PC ACTION: CURRY MADE A MOTION/LUCIA-TRESE SECONDED TO APPROVE REGULAR ITEM #5 FOR CC-18-001 FOR A MAP AMENDMENT (REZONE) OF WINSOME COMMERCIAL UTILIZING RESOLUTION PAGE 25, MORE PARTICULARLY DESCRIBED ON PAGE 19-035 WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED. (7-0)

6. P-18-006

RUIZ

**MAP AMENDMENT (REZONE)
WINSOME RESIDENTIAL**

A request by McCune Ranch, LLC, for approval of a map amendment (rezoning) of 350.26 acres from the RR-5 (Residential Rural) and A-35 (Agricultural) zoning districts to the RR-2.5 (Residential Rural) zoning district. The property is located at the northwest corner of the Hodgen Road and Meridian Road intersection. (Parcel No.: 51000-00-493) (Commissioner District No. 1)

PC ACTION: CURRY MADE A MOTION/LUCIA-TREESE SECONDED TO APPROVE REGULAR ITEM #6 FOR CC-18-001 FOR A MAP AMENDMENT (REZONE) OF WINSOME RESIDENTIAL UTILIZING RESOLUTION PAGE 27,

MORE PARTICULARLY DESCRIBED ON PAGE 19-036 WITH THREE (3) CONDITIONS AND TWO (2) NOTATIONS AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED. (7-0)

7. SP-18-006

RUIZ

**PRELIMINARY PLAN
WINSOME**

A request by McCune Ranch, LLC, for approval of a preliminary plan of 766.66 acres to create 143 single family residential lots with an overall density of one dwelling unit per five acres, one commercial lot, 151.238 acres of open space, and right-of-way. The property is presently split zoned between the RR-5 (Residential Rural) zoning district and the A-35 (Agricultural) zoning district. The applicant has submitted concurrent applications for two map amendments to the RR-2.5 (Residential Rural) and CC (Commercial Community) zoning districts. The property is located at the northwest corner of the Hodgen Road and Meridian Road intersection. (Parcel No.: 51000-00-493) (Commissioner District No. 1)

PC ACTION: CURRY MADE A MOTION/LUCIA-TREESE SECONDED TO APPROVE REGULAR ITEM #7 FOR SP-18-006 FOR A PRELIMINARY PLAN FOR WINSOME UTILIZING RESOLUTION PAGE 25, MORE PARTICULARLY DESCRIBED ON PAGE 19-037 WITH FIVE (5) CONDITIONS AND THREE (3) NOTATIONS AND TWO (2) WAIVERS AND A DELAY OF THE FINDING OF SUFFICIENCY FOR WATER QUANTITY, QUALITY, AND DEPENDABILITY DEFERRED TO FINAL PLAT AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED. (7-0)

8. El Paso County Master Plan – Informational Update – No Action Needed

Information regarding the survey and/or community meetings can be located at <https://elpaso-hlplanning.hub.arcgis.com/>

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

The minutes were approved as presented at the June 18, 2019 hearing.