

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

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting  
Thursday, March 18, 2021  
El Paso County Planning and Community Development Department  
200 S. Cascade Ave – Centennial Hall Hearing Room  
Colorado Springs, Colorado

**REGULAR HEARING**  
**1:00 p.m.**

**PRESENT AND VOTING: BRIAN RISLEY, TOM BAILEY, TIM TROWBRIDGE,  
BECKY FULLER, SARAH BRITTAIN JACK, JAY CARLSON, JOAN LUCIA-TREESE,  
AND GRACE BLEA-NUNEZ**

**PRESENT VIA ELECTRONIC MEANS AND VOTING: THOMAS GREER AND ERIC  
MORAES**

**PRESENT AND NOT VOTING: NONE**

**ABSENT: NONE**

**STAFF PRESENT: CRAIG DOSSEY, NINA RUIZ, RYAN HOWSER (VIA REMOTE  
ACCESS), TRACEY GARCIA, ELENA KREBS, ELIZABETH NIJKAMP (VIA REMOTE  
ACCESS), AND EL PASO COUNTY ATTORNEY LORI SEAGO (VIA REMOTE  
ACCESS)**

**OTHERS SPEAKING AT THE HEARING: MICHAEL CARTMEL, ANDREA BARLOW,  
RAY SULLIVAN, RANDY VIERIA, ANDREI BEDOYA (VIA REMOTE ACCESS),  
BECKY BEDOYA (VIA REMOTE ACCESS), TISH NORMAN, MICHAEL PETERSON,  
AND JIM MCDANIEL (VIA REMOTE ACCESS)**

**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  
**Thursday, April 1, 2021 at 1:00 p.m.**

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- b) **Ms. Ruiz** gave an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting.
- c) **Ms. Ruiz** gave an update on the Master Plan process and timeline. The Master Plan went public on March 9 and it has also been sent to over 200 referral agencies. On March 31 we will have a remote public meeting to hear comments from the public. The Planning Commission will hear the Master Plan at Special Meetings on May 5 and May 26. The website to view the Plan and to see the schedule of events is <https://el Paso-hlplanning.hub.arcgis.com/>

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

**CONSENT ITEMS**

- 2. A. **Approval of the Minutes – March 4, 2021**  
The minutes were unanimously approved as presented. (10-0)

- B. **CS-20-002** **GREEN**

**MAP AMENDMENT (REZONE)  
12265 HIGHWAY 94 REZONE**

A request by Udon Holdings, LLC, for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to CS (Commercial Service). The 40-acre property is located on the south side of Highway 94, approximately one-half (1/2) mile west of the Highway 94 and Franceville Coal Mine Road intersection and within Section 18, Township 14 South, Range 64 West of the 6th P.M. (Parcel No.44000-00-237) (Commissioner District No. 4)

**PC ACTION: FULLER MOVED/BAILEY SECONDED FOR APPROVAL OF CONSENT ITEM NUMBER 2B, CS-20-002, FOR A MAP AMENDMENT (REZONE) UTILIZING RESOLUTION PAGE NO. 27, CITING, 21-014 WITH THREE (3) CONDITIONS AND TWO (2) NOTATIONS, AND THAT THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED (10-0).**

- C. **P-20-003** **HOWSER**

**MAP AMENDMENT (REZONE)  
8330 MUSTANG PLACE REZONE**

A request by Mason, LLC, for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The 5.37-acre property is located on the north side of Mustang Place, approximately one (1) mile northeast of the Woodmen Road and Marksheffel Road intersection and within Section 4, Township 13 South, Range 65 West of the 6th P.M. (Parcel No.53040-02-017) Commissioner District No. 2

**Mr. Trowbridge** stated he would not be in favor of this project due to compatibility and the area becoming denser. **Ms. Fuller** requested more information as to why **Mr. Trowbridge** would deny the project. **Ms. Ruiz** provided detailed information about the surrounding zoning and land use approvals. The applicants are requesting to rezone from RR-5 to RR-2.5. The staff's perspective is that this is a good transition from the dense urban development immediately north and south within the limits of Colorado Springs and to the surrounding development. **Mr. Trowbridge** - I'm afraid if we allow the encroachment, the density will continue to get greater and would encourage others to subdivide. **Ms. Lucia-Treese** - Using that justification wouldn't that argument be true to every development that comes before us for a rezone? **Mr. Trowbridge**- True however in this case my judgement is to keep the five-acre parcels and not allow it to go to 2.5 acres. I disagree with staff that this is a transitional area. **Ms. Fuller** - If this touched the RS-5000 development, then would you be comfortable? **Mr. Trowbridge** - No, it's the Pawnee Ranchettes area that bothers me. **Ms. Ruiz** - the City of Colorado Springs is experiencing more growth. We will likely see more of this. **Ms. Brittain Jack** - In our master plan, I believe this is a transitional area that will see more growth. **Mr. Bailey** - That is my recollection as well. **Mr. Carlson** – There are hundreds of acres of five-acre parcels and this one wants to stick right down in the middle of it. I agree that we should keep it consistent with what is there now. I will not be in favor.

**Michael Cartmel**- We purchased this property with the intent to get some animals for the family and love the rural setting and serenity. Subdividing does not diminish the rural character of the area.

**Mr. Bailey**- I'm curious to know the response from the adjoining properties. **Mr. Howser**- We did not receive any response to the letters that were sent out. **Mr. Bailey**- If the neighbors are not concerned, I'm inclined to approve this. **Ms. Lucia Treese** - I agree.

**Ms. Fuller** - I will be in favor since there was no neighbor opposition.

**Mr. Risley**- I will also be in favor of this. I didn't have any concern with this project because of the character of the Black Forest where there is a blend of lot sizes, but I do understand **Mr. Trowbridge** on this.

**PC ACTION: BAILEY MOVED/NUNEZ SECONDED FOR APPROVAL OF CONSENT ITEM NUMBER 2C, P-20-003, FOR A PRELIMINARY PLAN UTILIZING RESOLUTION PAGE NO. 25, CITING, 21-015 WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, AND THAT THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED (8-2). TROWBRIDGE AND CARLSON WERE NAY VOTES DUE TO THE PROJECT NOT BEING COMPATIBLE FOR THE AREA.**

**D. PUD-18-002**

**RUIZ**

**MAP AMENDMENT (REZONE)  
DANCING WOLF**

A request by David McElhoues, Alyce McElhoes, Robert Tello, Joshua Fuson, and Ruth Anne Fuson for approval of a map amendment (rezoning) from PUD (Planned Unit Development) to PUD (Planned Unit Development) to amend the minimum lot size requirement within the PUD to 2.5 acres and to amend the permitted uses within the commercial area included in the PUD area. The 25.15-acre property is located at the northeast corner of the Highway 83 and Hodgen Road intersection and within Section 22, Township 11 South, and Range 66 West of the 6th P.M. (Parcel Nos. 61220-03-020, 61220-03-035, 61220-04-002, 61220-04-001, and 61220-03-036) (Commissioner District No. 1)

**PC ACTION: BAILEY MOVED/TREESE SECONDED TO MOVE ITEM 2D, PUD-18-002, MAP AMENDMENT (REZONE) FOR DANCING WOLF DATE CERTAIN TO THE APRIL 1, 2021 PLANNING COMMISSION HEARING. MOTION PASSED UNANIMOUSLY (10-0).**

**E. VR-18-002**

**RUIZ**

**VACATION AND REPLAT  
DANCING WOLF**

A request by David McElhoues, Alyce McElhoes, Robert Tello, Joshua Fuson, and Ruth Anne Fuson for approval of a vacation of five (5) platted lots and right-of-way and replat to create seven (7) single-family residential lots. The five (5) lots, totaling 25.15 acres, are zoned PUD (Planned Unit Development) and are located at the northeast corner of the Highway 83 and Hodgen Road intersection and are within Section 22, Township 11 South, and Range 66 West of the 6th P.M. (Parcel Nos. 61220-03-020, 61220-03-035, 61220-04-002, 61220-04-001, and 61220-03-036) (Commissioner District No. 1)

**PC ACTION: BAILEY MOVED/TREESE SECONDED TO MOVE ITEM 2E, VR-18-002, VACATE AND REPLAT FOR DANCING WOLF DATE CERTAIN TO THE APRIL 1, 2021 PLANNING COMMISSION HEARING. MOTION PASSED UNANIMOUSLY (10-0).**

**Regular Items**

**3. P-20-001**

**RUIZ**

**MAP AMENDMENT (REZONE)  
CLOVERLEAF**

A request by Proterra Properties, LLC, for approval of a map amendment (rezoning) from RS-20000 (Residential Suburban) to RS-5000 (Residential Suburban). The 37.22-acre property is immediately north of Higby Road and east of Jackson Creek Parkway and is within Section 23, Township, 11 South, Range 67 West of the 6th P.M. (Parcel Nos. 71242-02-240, 71242-02-239, and 71242-02-236) (Commissioner District No. 1)

**Ms. Ruiz** gave a brief overview and asked **Ms. Seago** to go over the review criteria for a map amendment (rezone). She then introduced the applicants' representative **Ms. Andrea Barlow from NES**, to give their presentation.

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

**Ms. Fuller** - This was originally platted as open space and now we are developing.

**Ms. Ruiz** - This was platted as open space and was intended to be a golf course, but the golf course was never developed. There is no issue or conflict with the regulations included within the LDC to transfer this from open space to development.

**Mr. Bailey** - It's not zoned as open space; it is zoned as RS-20000. We are not looking at the issue of an expressed intention to keep it as open space. We are changing the zoning.

**Mr. Carlson** - To be clear this land is currently zoned as RS-20,000. Is this the same owner of the open space or has it been sold off? Will there be another opportunity for people in the area to voice their concerns? **Ms. Ruiz** - There are other ownership stakes. The request today is for a zoning action, any opposition may choose to voice their concerns either today or at the preliminary plan stage.

**IN FAVOR:**

**Ms. Tish Norman** - I live in Monument, Colorado, specifically Woodmoor. I am the director of the WOSC, LLC group. We purchased 94 acres to keep it open space. Pro-Terra contacted us to get a portion, but we are protecting land around us and are in favor of this development. Pro-Terra is a local developer that took an interest in our area. There are 162 homes, 118 contributed to the process. We have raised over a million dollars to protect the land around our homes. We gave them an easement for a detention pond. We've worked well together. This is an example of how homeowners and developers can work together. We are also putting deed restrictions on the land.

**Mr. William Peterson** - This type of development and the cooperation we have had has been remarkable. There are other developments that are going up around Higby and we have concerns about the traffic in that area.

**Mr. Phil Schwietzer** - If we make good sound decisions then we are making good plans for many years to come. I think we need to beef up the sidewalks and walkability. People from around the area have access to Fox Run Park. There needs to be a path. If the people on the northwest don't want to see a path the developer can put an eight-foot concrete wall up for about \$100,000.

#### **IN OPPOSITION:**

**Mr. Andrei Bedoya**- This open space was originally promised to residents for a future golf course. I have concerns with inconsistent land use. Traffic is going to increase significantly. There will be no privacy with these lots as they will all be uphill and looking down into our properties.

**Mrs. Becky Bedoya**- These developers are not contributing to our schools or infrastructures. The true nature of Monument is disappearing, and the quality of our home is going to be diminished due to the structure going in behind us.

**Mr. Jim McDaniel**- I'm in the Woodmoor Park townhomes. My front window faces the proposed development. This is going to create a tremendous traffic concern. That road is not wide enough for the increased traffic.

#### **APPLICANTS REBUTTAL:**

**Ms. Barlow** stated that she understands the main issue is compatibility. We will pay the road impact fees as required. Traffic studies have been completed. We go through a rigorous review; it's not just a rubber-stamp approval. The preliminary plan will come very soon. Regarding trails, those plans are forth coming.

#### **DISCUSSION:**

**Ms. Fuller** - I'm so impressed by the developer and homeowner coordination. I also found the rubber stamp comment offensive. We look at everything that

comes to us. Our goal is to help with public policy. I think this fits in our review criteria. Not everything we see does fit the review criteria, but this does. I will be in favor of this.

**Ms. Lucia - Treese-** I concur with **Ms. Fuller**. We are only discussing the rezoning today, so based on the criteria for approval, I will be in favor.

**Mr. Carlson** - I think the buffer and transition areas were done well. I struggle with the density right up against RS-20,000. Two houses per acre right up against eight houses per acre. Most homeowners think this is a good development. I'm not going to fight against those who are not fighting for themselves. I will be in favor.

**Ms. Fuller** - I do understand the comment with this right up next to RS-20,000 but I see them adjacent to townhomes, so this is a transition.

**Mr. Moraes** - If we go back to the approval criteria. Number three jumps out at me. It says compatible in all directions. I don't see how that is compatible in all directions. In some directions it includes open space. We go from open space to basically the densest single- family residential zone district. I do not favor this rezoning.

**Ms. Blea- Nunez** - I applaud the developer and the organization working together on that. I do hear **Mr. Moraes'** concern. I'm torn.

**Mr. Bailey** – I think the issue of compatibility going from RS-20,000 to RM-30 is a big jump; I agree with that. I'm struck by what is a sensible infill plan that bridges the gap in the different uses. They raised the funds to keep a lot of the open space open. My take is this is a very compatible compromise to bridge the gap with varied uses. This is a good plan and has my support.

**Mr. Risley** - I certainly understand and appreciate the concerns. I applaud the coordination and think this a model that others should follow. The sensitivity to the surrounding context has been demonstrated by multiple meetings in the neighborhood, you found compromise, and it's what we hope to see in other areas of the County. This underscores the Master Plan efforts and how we view some of these areas such as transitional areas from one development to the next. I will be in favor of this project.

**PC ACTION: TROWBRIDGE MOVED/TREESE SECONDED FOR APPROVAL REGULAR ITEM NUMBER 3, P-20-001 FOR A MAP AMENDMENT (REZONE) FOR CLOVERLEAF UTILIZING RESOLUTION PAGE NO. 27, CITING, 21-016 WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, AND THAT THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (9-1). MR. MORAES WAS THE ONLY NAY VOTE**

**4. LDCPM-21-001**

**RUIZ**

**EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT  
APPEAL OF ADMINISTRATIVE DECISIONS & DETERMINATIONS**

A request by the El Paso County Planning and Community Development Department to amend Chapters 1, 2, 5, and 7 of the El Paso County Land Development Code (2021) to clarify the requirements and procedures for appeals of administrative decisions and determinations by the Planning and Community Development Director. The proposed revisions, in their entirety, are on file with the El Paso County Planning and Community Development Department.

**Type of Hearing – Legislative**

**PC ACTION: COMMENTS WERE ACCEPTED. NO ACTION REQUIRED BY THE PLANNING COMMISSION BUT THEY GAVE THEIR GENERAL CONSENSUS OF ENDORSEMENT.**

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

The Master Plan is tentatively scheduled to come to the Planning Commission on May 5 and 26 for review and subsequent approval.

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](http://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.)

**The minutes were approved as presented at the April 1, 2021 hearing.**