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COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting
Thursday, May 20, 2021
El Paso County Planning and Community Development Department
200 S. Cascade Ave – Centennial Hall Hearing Room
Colorado Springs, Colorado

**CONTINUED ITEMS FROM THE MAY 6, 2021 HEARING
10:00 a.m.**

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

PRESENT VIA ELECTRONIC MEANS AND VOTING: GRACE BLEA- NUNEZ

PRESENT AND NOT VOTING: NONE

ABSENT: THOMAS GREER

STAFF PRESENT: CRAIG DOSSEY, MARK GEBHART (VIA REMOTE ACCESS), NINA RUIZ, KARI PARSONS, RYAN HOWSER, GILBERT LAFORCE, TRACEY GARCIA, ELENA KREBS (VIA REMOTE ACCESS), ELIZABETH NIJKAMP (VIA REMOTE ACCESS), JEFF RICE (VIA REMOTE ACCESS) AND EL PASO COUNTY ATTORNEY LORI SEAGO

OTHERS SPEAKING AT THE HEARING: ANDREA BARLOW, DANNY MIENTKA, JASON ALWINE, MARK SPOWART, SHAWN SHAFFER, WILLIAM STUBER, CATHY SOLBERG, TISH NORMAN, GARY BEIERLE

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

- a) The next scheduled Planning Commission meeting is for **Wednesday, May 26, 2021 at 9:00 a.m. for the Master Plan.** The next regular Planning Commission meeting is scheduled for **Thursday June 3, 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** solicited for volunteers for the Parks Master Plan.

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

REGULAR ITEMS CONTINUED FROM THE MAY 6, 2021 HEARING

1. CR-20-001

PARSONS

**MAP AMENDMENT (REZONE)
CROSSROADS NORTH**

A request by Colorado Springs Equities, LLC, for approval of a map amendment (rezoning) of 4.84 acres from M (Industrial Obsolete) and 20.34 acres from I-2 (Industrial) to CR (Commercial Regional). The six (6) parcels, totaling 25.18 acres, are located at the southwest corner of the Marksheffel Road and Highway 24 intersection and are within Section 8, Township, 14 South, Range 65 West of the 6th P.M. (Parcel Nos. 54080-01-032, 54080-01-041, 54080-01-042, 54080-01-050, 54080-01-051, 54080-01-052) (Commissioner District No. 2)

DANNY MIENTKA provided rebuttal for traffic comments from the May 6, 2021 Planning Commission hearing. Confirmed that a traffic study was performed. States improvements and development will create less traffic on the Powers corridor.

PC ACTION: TROWBRIDGE MOVED/LUCIA-TREESE SECONDED FOR APPROVAL OF REGULAR ITEM NUMBER 1, CR-20-001 FOR A MAP AMENDMENT FOR CROSSROADS NORTH UTILIZING RESOLUTION PAGE NO. 27, CITING, 21-022 WITH THREE (3) CONDITIONS AND TWO (2) NOTATIONS THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (8-0).

2. SF-20-026

GREEN

**FINAL PLAT
GRANDWOOD RANCH**

A request by Sylvan Vista, Inc., for approval of a final plat to create 48 single-family residential lots. The 146.84 acre property is zoned RR-2.5 (Residential Rural) and is located on the north side of Higby Road at the southernmost terminus of Furrow Road, approximately 1.5 miles northwest of the Baptist Road and Roller Coaster

Road intersection, and is within Section 19, Township 11, and Range 66 West of the 6th P.M. (Parcel No.61190-00-003) (Commissioner District No. 1)

Mr. Green gave a brief overview of the project and asked **Ms. Seago** to go over the review criteria for a final plat. **Mr. Green** then gave his full presentation.

Mr. LaForce gave a brief presentation regarding engineering of the site.

Mr. Moraes – What is the height of the retaining wall? **Mr. LaForce** - Eight feet.

Mr. Moraes – Are they trying to obtain right of way to the easement? **Mr. LaForce** - On the right side it is a temporary easement to do the grading and the left it is more of a permanent easement because of the retaining wall and to allow the County in to do maintenance. **Mr. Moraes** – Does any of this construction take away the owners' setbacks? (Referring to the property where the easement is located) **Mr. LaForce** – We're not taking away additional property, just the easement to allow us to do maintenance.

Mr. Bailey – Just to clarify what we're looking at here is actually north of the application, this has nothing to do with the current application. This has everything to do with Public Works project that is beyond the scope of what we're supposed to consider here? **Mr. Green** – That is correct.

Mr. Jason Alwine with Matrix Design Group gave a brief presentation.

IN FAVOR: NONE

IN OPPOSITION:

Mr. Mark Spowart – We're not either for or against for Grandwood. We actually formed an alliance and hired a consultant to understand safety of a cut through street on Furrow Rd. Mr. Spowart gave a brief presentation on cut through streets and related safety concerns. We are working with the Department of Public Works to come up with plans of traffic calming measures.

REBUTTAL:

Mr. Alwine – with regard to Furrow Road, this plat dedicates that right of way. What happens in that right of way is now with Public Works. **Mr. Risley** – If I am understanding correctly, the plat really wouldn't change, the lots would be as proposed and if the county chooses to implement a different striping methodology, that is possible, is that correct? **Mr. Alwine** – That's correct, since we are dedicating a 90 ft right of way, how they decide to stripe that would be up to them as long as they are in that 90 ft right of way. **Mr. Risley** – Would additional right of way be required for things like roundabouts? **Mr. Alwine** - If that roundabout is within the R site, potentially. I don't believe that was in the request to have that roundabout within Grandwood. **Mr. Bailey** – Your 90 foot right of way was in consultation of department of Public Works, correct? **Mr. Alwine** – Correct. **Mr. Moraes** - I do live off Furrow Road and have travelled down to see where this

project will take place and I agree with the citizens that it is a quick paced road. I can see where it can be a potential safety issue. **Mr. Trowbridge** – The roundabout the citizens are talking about seems like a valid suggestion to me. I would encourage Public Works to look at that.

DISCUSSION:

Ms. Fuller – I hear what all the neighbors are saying about the safety of the Furrow. This just isn't the correct body to rectify that. I would encourage you to work with your county commissioner and Public Works. You are asking for something reasonable; we just aren't the ones that can solve your problem.

Mr. Risley - I completely underscore **Ms. Fuller's** comments. The information that has been brought forth to us today in my view is appropriate to the issues the community is facing. I also appreciate that you're not coming with just complaints but with possible solutions in hand. You should be commended for taking that action. I would highly encourage you to work with Public Works. I also encourage the County to be receptive.

PC ACTION: BAILEY MOVED/LUCIA-TREESE SECONDED FOR APPROVAL OF REGULAR ITEM NUMBER 2, SF-20-026 FOR A FINAL PLAT FOR GRANDWOOD RANCH UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-024 WITH THIRTEEN (13) CONDITIONS AND TWO (2) NOTATIONS THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (8-0).

3. MS-19-006

HOWSER

**MINOR SUBDIVISION
WYOMING ESTATES**

A request by Home Run Restorations, Inc., for approval of a minor subdivision to create four (4) single-family residential lots. The 40.01-acre property is zoned RR-5 (Residential Rural) and is located on the west side of Curtis Road, approximately 2.75 miles north of Highway 94, and is within Section 33, Township 13 South, Range 64 West of the 6th P.M. (Parcel No. 43330-00-003) (Commissioner District No. 2)

Mr. Howser gave a brief overview of the project and asked **Ms. Seago** to go over criteria for a minor subdivision. **Ms. Seago** also provided a legal interpretation of the access issue. The legal issue that was presented to me is that there is an existing 60 foot road access easement on the northern boundary that goes straight west east that connects to Curtis Road and if you follow it further west it provides access to the properties. The proposal is to have easement vacated and have a public road constructed. With an additional easement that will provide access to the properties on the west if the west is developed. via new easement. The easement that runs along the northern boundary was established by a quit claim

deed. My understanding is that people to the west that are currently served by that access, object to having that access moved. The deed does state it is a condition of this deed that if a county dedicated road access shall be established on this easement or anywhere else to serve the above land, then all rights for the easement above shall be relinquished by the grantee.

Ms. Fuller – Does anyone use that easement right now to access Curtis Road? Is it dirt, paved? **Mr. Howser** – Yes, they do, and it is a dirt road. The intent is to have one access point instead of the current two that don't meet spacing criteria.

Mr. Trowbridge – I believe you stated there is a road on that right of way now? Is it really a road or a dirt track? **Mr. Howser** – Its more of a driveway. **Mr. Trowbridge** – So it's not a county-maintained dirt road? **Mr. Howser** – Correct **Mr. Trowbridge** - Would Taleo Court be a dirt road, gravel? **Ms. Nijkamp** – Taleo Court is proposed to be asphalt pavement to the end of the cul-de-sac, after the cul-de-sac will be a dirt road. **Mr. Trowbridge** – will that be county maintained?

Mr. Howser - Up through Taleo Court will be county maintained. **Mr. Carlson** – Is it up to the current property owners if they provide access to the properties to the west if that easement goes away. In other words, they don't need any permission from any of the other property owners. **Ms. Seago** - That is my interpretation of that condition of the deed. If that condition were not there, then the developer would need to obtain permission of all those that were benefiting of the easement. They would either need to sign plat or sign a separate document, terminating that easement.

Mr. Howser - Up through Taleo Court will be county maintained. **Mr. Carlson** – Is it up to the current property owners if they provide access to the properties to the west if that easement goes away. In other words, they don't need any permission from any of the other property owners. **Ms. Seago** - That is my interpretation of that condition of the deed. If that condition were not there, then the developer would need to obtain permission of all those that were benefiting of the easement. They would either need to sign plat or sign a separate document, terminating that easement.

The applicant, **Shawn Shaffer** gave his presentation.

Mr. Howser – I would like to provide some clarity on the requirement to move the access point and not utilize the existing easement. It is my understanding that it was due to driveway spacing issues and the interest in reducing the total number of access points on Curtis Road for safety reasons. The only other major opposition was regarding preservation of rural character. Rural in our code is anything that allows 2.5 acre lots or greater. The average density to this site would be about one lot per 10 acres.

Ms. Seago – I just want to remind the board that this a subdivision action not a zoning action. The lots that are being proposed do conform with the zoning of the property, so they are entitled to develop lots of that size.

Mr. Trowbridge - I don't see how changing one access point further south improves safety. I would like to hear from engineering about this.

Ms. Nijkamp – The access shift is to align it up with an existing access across the street. This way we have them coming in at one location instead of two that does not currently meet the access spacing criteria.

Mr. Trowbridge- The county had already approved that access to the west on that driveway and that existing right of way. I don't see the necessity to shift that access south to the new Taleo court instead of letting him improve the existing driveway.

Ms. Nijkamp – First I would like to clarify that the existing access to the west is not a road, it's a driveway and when we increase the number of people, we like to see them use one access. It is for a movement type of issue so that we don't have left turn movements colliding and that we align roadways next to each other. Driveway spacing requirements are different than road spacing requirements. **Mr. Trowbridge** – I understand your point, but we are talking about a minimal increase to traffic. Seems like you are trying to stick to a rule you've made and not come to an accommodation.

Ms. Nijkamp - There is a possibility that additional lots can be created in the larger parcel to the south. We have to look forward and not just at today.

Mr. Carlson – Isn't the easy answer is just to allow one access point on Curtis Road.

Ms. Nijkamp - If that lot were to subdivide in the future then they would also be required to use this access.

Ms. Fuller – I think it is a great public policy discussion of not creating undo cost on development. That lot to the west that can be potentially rezoned. I certainly respect bringing that point up, it is an important point to consider. I feel comfortable with how it has been proposed.

Mr. Risley – Is there a driveway permit associated with this access easement on Curtis Road? I'd also like to know if there are parameters around that driveway permit if one exists. **Ms. Nijkamp** – I can tell you that the ECM County Administrator has the ability to move or relocate. Our access permits give us that provision.

Mr. Risley – Did staff talk about a possibility of deviations from the ECM on this project? **Ms. Nijkamp** – I don't recall and I don't know I can support that

given the fact that properties to the west and this property itself can be developed into more lots than what they are asking for today and we need a safe road way system to accommodate those new lots. There is no access permit for the existing easement that is on there today.

IN FAVOR: NONE

IN OPPOSITION:

Mr. William Stuber – I am the property owner immediately to the west of the proposed subdivision. The dirt road or driveway is truly a private road, its maintained, graveled and there are six properties that utilize that easement. You're impacting six other properties to accommodate; you are creating a problem with addressing for emergencies. The original intention was to provide more than four lots. There are three defined now as five acre lots with a fourth remaining of 20 plus acres that could be future subdivided. More than four lots is not a minor subdivision. The relocation of this easement is a safety issue, moving all that traffic to a blind hill.

Ms. Cathy Solberg – I have lived there for 30 years. I tried to break off two – five acre lots to give to my children and I was told by Black Squirrel Water District that there was no way we can support the lots because of the water. I don't know how that changed. I don't understand how I was denied, and I agree with **Mr. Stuber** on relocating the easement, it's dangerous. It is a rural way of life and I just hate to see it when there is a big subdivision in all directions.

DISCUSSION:

Ms. Fuller – If there are unrecorded easements, then what would happen?

Ms. Seago – If folks are using that easement that are not successors, they may have rights by adverse possession. However, without details I cannot offer a legal opinion to that what those rights might encompass. They are not being denied access, it's merely being relocated.

Mr. Bailey –The fact that kids cut across the yard when there is a sidewalk they can go to, does not give them that right. In my opinion, the legal access is there, the county is taking the minimum first step to improve the safety of the area by aligning those access points.

Mr. Trowbridge – They indicated they have addresses off Curtis Road, but how is that if that is not a legal road?

Ms. Nijkamp – It's a driveway so it makes sense that those parcels to the west of this lot are accessed off Curtis because their driveway is off of Curtis. I'd like to propose that the applicant install a sign at the new intersection that says "address with arrow pointing" for emergency services.

Mr. Bailey – I'm not convinced that the burden fall on the applicant. **Mr. Risley** – I was going to suggest that since it is the criteria of the County that those streets be aligned, that the County pay. **Ms. Nijkamp** - I respectfully disagree, it is the developer's responsibility to pay.

Mr. Dossey - The authority to address and name roads does not lie with El Paso County. It lies with E911 and Regional Building Enumerations division. We are happy to work with them to make sure it works out well with the neighbors. We can not guarantee a road name, that is outside our authority. That includes addressing as well, not just the road name. Generally speaking, we don't provide signs for developers. Make no mistake, no matter how small the developer is, they are still a developer who stands to make money off the development they are proposing.

Ms. Seago - As **Mr. Dossey** indicated, developers are required to pay their own way in every aspect of this subdivision.

Mr. Moraes – I would encourage the neighbors that are concerned with the hill to the south being a blind curve to work with the appropriate County agency to ensure that, if this area is developed, a new sign is posted near the top of the hill that alerts travelers that a new intersection at the bottom of the hill.

Mr. Trowbridge – I remain unconvinced about the alignment. I think engineering did not think through some of the ramifications of this. I am in favor of the subdivision, but I think there will be a lot of inconvenience that will happen and some of that could have been better mitigated in my opinion.

Mr. Risley - I see both sides of the argument here, I certainly understand the position of engineering and the desire to make this safe as possible. However, I also see a result of not planning properly in the past that's kind of why we are here, where we are with this item. So, I also agree with trying to fix and plan properly is the right answer. I am in support of the subdivision; I think it will allow some of the issues to be resolved. I just ask that staff continue to think outside of the box.

PC ACTION: FULLER MOVED/ LUCIA-TREESE SECONDED FOR APPROVAL OF REGULAR ITEM NUMBER 4, MS-19-006 FOR A MINOR SUBDIVISION FOR WYOMING ESTATES UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-025 WITH FIFTEEN (15) CONDITIONS AND TWO (2) NOTATIONS THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (8-0).

4. SP-20-002

RUIZ

**PRELIMINARY PLAN
CLOVERLEAF**

A request by PT Cloverleaf, LLC, for approval of a preliminary plan to create 144 single-family residential lots and 12 tracts, totaling 6.186 acres, for the purpose of providing open space and stormwater detention. The 38.782-acre property is zoned RS-20000 (Residential Suburban) and RS-5000 (Residential Suburban) and is located immediately north of Higby Road and east of Jackson Creek Parkway and is within Sections 23 and 24, Township 11, Range 67 West of the 6th P.M. (Parcel Nos. 71231-02-048, 71242-02-240, 71231-03-007, 712310-20-47, 71231-02-050, 71242-02-239, 71242-02-236, 71242-02-238) (Commissioner District No. 1)

Ms. Ruiz gave an abbreviated overview of the project and went over the criteria for approval then introduced the applicants' representative, **Andrea Barlow, NES**, to give their presentation.

Mr. Moraes – I was the one person who voted against this project a couple months ago but after seeing how the lots are laid out I do like how when you really look at it, out of 141 proposed lots, only 6 of them require RS-5000 all the rest of them are

more than 6000 square feet, so I like how the transition works. When I read through the developer's letter of intent, I see there is administrative relief for some of the lots that have 50% impervious cover, is that correct? **Ms. Barlow** – That's correct, it's an administrative relief on the lot coverage. That is primarily because we have agreed to the ranch restriction on many of the lots. It requires us to have a larger footprint than the RS-5000 allows, so it just gives us more flexibility on those. **Mr. Moraes** – So on the lots that are 17,000/18,000 square feet, you can actually have a 85/9000 square feet footprint on those. **Ms. Barlow** - I don't believe we requested the administrative relief on those larger lots. **Ms. Ruiz** - So the administrative relief is not included in this request today. The applicant was just trying to be transparent with what they're planning on doing in the future. Those administrative relief requests would still need to be submitted to our department as separate applications and they all would need to be reviewed individually. That is not included in the request today. **Mr. Moraes** - I'm not against it. I just found it interesting that were saying 50% lot coverage and when we start doing the math it becomes more lot coverage than if the area was zoned RS-20000.

IN FAVOR:

Tish Norman – There are 160 homes that border this property and 118 decided to purchase this property so we could keep our open space. I am here today to support Proterra's preliminary plan. We could not have done what we have done without them. They worked with us to deed restrict on some of the lower lots so that they did not lose their view. They also worked with us to work with the eight disparate homeowners and that's why there were changes to Proterra's plan. They are also building a trail head for us and they even donated a trail. In the end it has been a pleasure to work with a developer.

IN OPPOSITION: NONE

DISCUSSION: NONE

PC ACTION: TROWBRIDGE MOVED/ LUCIA-TREESE SECONDED FOR APPROVAL OF REGULAR ITEM NUMBER 4, SP-20-002 FOR A PRELIMINARY PLAN FOR CLOVERLEAF UTILIZING RESOLUTION PAGE NO. 25, CITING, 21-026 WITH SEVEN (7) CONDITIONS AND THREE (3) NOTATIONS THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (8-0).

START OF THE MAY 20, 2021 AGENDA ITEMS

CONSENT ITEMS

- 2. A. Approval of the Minutes – May 6, 2021**
The minutes were unanimously approved as presented. (8-0)

B. P-20-005

PARSONS

**MAP AMENDMENT (REZONE)
HOMESTEAD NORTH**

A request by SR Land, LLC, for approval of a map amendment (rezoning) of 65.3 acres from the RR-5 (Residential Rural) zoning district to the RS-6000 (Residential Suburban) zoning district. The parcel is located at the northeast corner of the Briargate Parkway and Vollmer Road intersection and is within Sections 17, 28, and 33, Township 12 South, Range 65 West of the 6th P.M. (Parcel No. 52280-00-030) (Commissioner District No. 2)

MR. CARLSON REQUESTED THIS ITEM BE PULLED AND HEARD AS A REGULAR ITEM.

Ms. Parsons 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.

Mr. Carlson - My issue is with the transition. Who determines the transition? Is that your office or is it up to us to determine if the transition is appropriate or not? **Ms. Barlow** – The transition has already been determined with the sketch plan. **Mr. Carlson**- Going from R5 to 5000 is a dramatic change.

Ms. Barlow while showing the sketch plan went into detail of specific areas and their proposed zoning and what the proposed builds are.

Mr. Carlson – My concern comes down to butting up against existing five and a half acre lots and throwing seven houses per acre right next to them.

Ms. Barlow - I'm not seeing where we're butting any existing five acre lots.

Mr. Carlson – Right across the street to the west. **Ms. Barlow** - Four out of the five objection letters comes from property owners that butt up against the Retreat at Timber Ridge and we are not proposing anything in the area at this time. **Mr. Carlson** - My comments are in general, we are going from the absolute minimum density to the absolute maximum density that we can come up with. We throw in parks, open spaces and calculate the density off of that but in reality, these houses are ten feet apart. **Ms. Barlow** - My final comment would be that the whole of this area will ultimately be urban development.

Ms. Parsons gave an abbreviated presentation.

IN FAVOR: NONE

IN OPPOSITION:

Mr. Gary Beierle – This proposal states that this request is compatible with adjoining properties. It is not compatible. It completely changes the character of the neighborhood a six-foot fence and a fifty-foot setback is a poor transition from urban to rural. This proposal as drawn would be a twelve-fold increase in population. Everyone is treating Sterling Ranch sketch as written in stone. In 2008 when produced it was faced with immense opposition. I know the sketch was recently approved but it is still a sketch.

REBUTTAL:

Ms. Barlow – The map that was sent out for the notification included the entire parcel. The area we are talking about today does not abut Mr. Beierle's property. The intent of the sketch plan is to form the bases of the zoning. Nothing in this indicated a need for 2.5 acre lots along Vollmer Road. The water and sewer services are based on that density in the sketch plan that has been planned since 2008.

DISCUSSION:

Mr. Trowbridge – Could I ask the county attorney to weigh in on the enforcement of the sketch plan. Nothing in the criteria says we have to abide by a sketch plan. **Ms. Seago** – The sketch plan is not a binding document. You are not required to act in conformance with the sketch plan, there is no such criteria for rezoning. It is something previously approved by the county and set for the overall plan for the development but it is not binding. **Mr. Risley** - Although **Ms. Barlow** referenced the new County Master Plan, it is not in place at this time, the sketch plan and rezoning that is being proposed is in alignment with the current guidelines and current Master Plan. However, I think it does make sense to factor that in to a small degree. **Mr. Bailey** – I would like to echo that because the new Master Plan had to be based on something. Things like the sketch plan certainly inform that process and this has been recognized as the development pattern for quite some time. This sketch plan almost undersold in terms of what has become of the demand in the area.

Ms. Parsons- I did want to point out that one of the preliminary plan criteria is that the preliminary plan must be in compliance with the sketch plan. So yes, it's not appropriate at the rezoning stage but in our next stage it will be requested for approval.

Mr. Moraes – I would like the Commission to realize that when the new County Master Plan does talk about the Suburban Residential placetype, you can get one unit for 2.5 acres. There is a wide range of lot sizes; Not everything has to be at the 5 units per acre level density. Something to keep in mind for the future.

PC ACTION: BAILEY MOVED/LUCIA-TREESE SECONDED FOR APPROVAL OF REGULAR ITEM NUMBER 2B, P-20-005 FOR A MAP AMENDMENT (REZONE) FOR HOMESTEAD NORTH, UTILIZING RESOLUTION PAGE NO. 27, CITING, 21-028 WITH SIX (6) CONDITIONS AND TWO (2) NOTATIONS THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (8-0).

C. PUDSP-21-003

GREEN

**PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN
TRAILS AT ASPEN RIDGE**

A request by COLA, LLC, for approval of a map amendment of 117.98 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 75 single-family residential lots, right-of-way, and open space. The property is located at the southeast corner of the Powers Boulevard and Bradley Road intersection and are within Section 9, Township 15 South, Range 65 West of the 6th P.M. (Parcel Nos. 55093-02-003 and 55093-05-003) (Commissioner District No. 4)

MR. CARLSON REQUESTED THIS ITEM BE PULLED AND HEARD AS A REGULAR ITEM.

Mr. Green gave a brief overview and asked **Ms. Seago** to go over the review criteria for a Planned Unit Development and Preliminary Plan. He then introduced the applicants' representative **Mr. Jason Alwine, from Matrix Designs**, to give their presentation.

Mr. Trowbridge – Let me get this straight, you proposed a more expensive product before and now you're coming back and saying you found a cheaper way to do it? I find that hard to believe. **Mr. Alwine** – Let me rephrase, because of the alley loads you have street, there is an additional infrastructure cost. With the price increase of the materials nationwide, if we can find savings by removing infrastructure it does help with some cost saving. **Mr. Trowbridge** - I understand that, I do not like this at all. Coming back to increase the density by 12%.. I don't know if I can be in favor of this right now. **Mr. Alwine**- A lot has happened in regard to market increase costs.

Ms. Fuller – Do you have a map of what was originally approved? Did the number of the lots change on the west? **Mr. Alwine** – For the most part

everything was able to stay the same, we were able to shrink the lot size and we were able to remove quite a bit of alley load product. The number of lots did increase. **Ms. Fuller** – So basically the old neighborhood had alleys and detached garages.

Mr. Carlson - In ECM section 5.8.7 criteria for approval says no modification shall be approved if it is based on financial considerations.

Mr. Alwine- Quite a few deviations stem from the inclusion of the alley load product because the County does not treat those as a publicly owned and maintained road. **Mr. Carlson** – I understand some of the thought process on the alley way but you're saying while we're at it we added a bunch of houses over on the west as well. 75 houses is a lot of profit. I just have a hard time with it. **Mr. Alwine**- You know it's expensive we have a couple miles of offsite water and offsite sewer. With demand with what it is. Adding 75 units during a housing shortage we don't see why that is such a bad thing.

Ms. Seago- The criteria noted in respect to ECM variances are accurate but they relate to engineering which are denied or approved by the County Administrator and not the Planning Commission. It is not a criteria for a PUD or a preliminary plan.

Mr. Laforce- The deviations noted had more to do with midblock crossings, nothing to do with density. Also regarding a meandering sidewalk.

Mr. Dossey - The reason that was in the staff report is because it was specifically asked for by the Board of County Commissioners' on all deviations. They want to know what is being deviated from on the ECM so they have an idea of what they are approving.

Ms. Fuller - What was this previously zoned? **Mr. Alwine**- RS-5000 that was approved with the preliminary plan and the sketch plan. **Ms. Fuller** – It looks like you are filling in some of the park. I understand getting rid of the alley way but I see a lot of new properties on the three acre lot. We lost four acres of open space and the new lots basically build a 25 foot wall of houses limiting access to the park on three sides. I would like to understand if the zoning changed from RS-5000 to PUD with many smaller lots was approved because of the large shared park. This new plan is a significant change. **Mr. Alwine** - You are correct we did reduce the open space form the original PUD. We are still providing 6 more acres than we are required to.

Mr. Bailey – The discussion about water was somewhat different than what we normally see. I would like to hear more about water supply, water

availability with the addition of the 75 lots. **Mr. Alwine** - We have gotten commitment letters from Widefield Water and Sanitation as well as finding of sufficiency from the state and county. We have the ability to serve the additional units. **Mr. Bailey** - What is the projection for water availability long term?

Mr. Green - This property is located in region 7 for the water master plan. Current water supply of 15,376-acre feet per year with current demand is 10,141-acre feet per year. In 2040 the water supply is projected at 25,241-acre feet per year. **Mr. Bailey** – this is one of the fewer places in the county where the demand is less than the supply in that area. Water master plan and the new master plan directs or suggest that urban density are much more appropriate where we have water available. So, it makes sense with the increase in density at least in the water criteria.

Mr. Green gave an abbreviated presentation on water density aspect.

IN FAVOR:

IN OPPOSITION:

DISCUSSION:

Mr. Trowbridge - I'm conflicted, I'm not happy with increase in density and decrease in open space.

Mr. Risley – I think we are all struggling with the increase density. When I look at the approval criteria for the PUD and preliminary plan I don't see anything in here that gives us room to deny. I think we all need to recognize the need for affordable housing.

Ms. Lucia Treese – It does meet the approval criteria and that is what we need to go by. IT does make sense where we have water to increase the density for affordable housing. I think it's prudent and the right decision at this time.

Ms. Fuller – I just don't think I have enough information about the original PUD zoning decision to feel comfortable approving this change. I hope this information will be available to the Board of County Commissioners when they hear this item.

Mr. Carlson - It is our responsibility to protect the lifestyle in Colorado Springs. I understand we need housing, nowhere in here did it say affordable housing. To me it's a financial gain for the developer, period. 75 additional homes is a lot. I think we are doing a disservice to our community when we cram development on top of each other.

PC ACTION: LUCIA-TREESE MOVED/BRITTAIN JACK SECONDED FOR APPROVAL OF CONSENT ITEM NUMBER 2C, PUDSP-21-003 FOR A PLANNED UNIT DEVELOPMENT AND A PRELIMINARY PLAN FOR TRAILS AT ASPEN RIDGE, UTILIZING RESOLUTION PAGE NO. 29 AND PAGE NO. 25, CITING, 21-029 WITH SEVEN (7) CONDITIONS AND FIVE (5) NOTATIONS THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (7-2). Ms. Fuller and Mr. Carlson were the nay votes.

REGULAR ITEMS

3. ID-20-004

PARSONS

**SPECIAL DISTRICT SERVICE PLAN
CLOVERLEAF METROPOLITAN DISTRICT**

A request by PT Cloverleaf, LLC, for approval of a Colorado Revised Statutes Title 32 Special District service plan for the Cloverleaf Metropolitan District. The four (4) parcels, totaling 37.27 acres, proposed for inclusion into the district are zoned RS-20000 (Residential Suburban) and RS-5000 (Residential Suburban), and are located immediately north of Higby Road and east of Jackson Creek Parkway, and are within Sections 23 and 24, Township 11 South, Range 67 West of the 6th P.M. The proposed service plan includes the following: a maximum debt authorization of \$8 million, a debt service mill levy of 50 mills for residential, a debt service mill levy of 5 mills for special purpose, and an operations and maintenance mill levy of 10 mills, for a total maximum combined mill levy of 65 mills. The statutory purposes of the districts include the provision of the following: 1) street improvements and safety protection; 2) design, construction, and maintenance of drainage facilities; 3) design, land acquisition, construction, and maintenance of recreation facilities; 4) mosquito control; 5) design, acquisition, construction, installation, and operation and maintenance of television relay and translation facilities; 6) covenant enforcement; and 7) design, construction, and maintenance of public water and sanitation systems. The property is not included within the boundaries of a small area plan. (Parcel Nos. 71242-02-239, 71242-02-240, 71242-02-236, and 71231-03-007) (Commissioner District No. 1)

IN FAVOR: NONE

IN OPPOSITION: NONE

DISCUSSION: NONE

PC ACTION: LUCIA-TREESE MOVED/TROWBRIDGE SECONDED FOR APPROVAL OF REGULAR ITEM NUMBER 3, ID-20-004 FOR A SPECIAL

DISTRICT SERVICE PLAN FOR THE CLOVERLEAF METROPOLITAN DISTRICT, UTILIZING RESOLUTION PAGE NO. 37, CITING, 21-027 WITH TEN (10) CONDITIONS AND TWO (2) NOTATIONS THE ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION PASSED (8-0).

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.)

The minutes were approved as presented at the June 3, 2021 hearing.