



City of Colorado Springs

Due to COVID-19 Health Concerns, this meeting will be held remotely.

Meeting Minutes - Final Planning Commission

Those who wish to join/comment during the meeting by phone should wait to be admitted into the meeting after calling in.

For those who participate by calling in, you will be muted upon entry to the meeting.

Once an item has been heard, the Chair will open the public portion of the hearing for those who wish to comment. There is a three (3) minute time limit for each person.

*In order to speak, you must press *6 on your phone to unmute yourself.*

Thursday, August 20, 2020

8:30 AM

Remote Meeting - Phone 720-617-3426

Conf ID: 679 492 185 #

1. Call to Order

Present: 8 - Vice Chair Scott Hente, Commissioner Jim Raughton, Chair Reggie Graham, Commissioner Alison Eubanks, Commissioner John Almy, Commissioner Marty Rickett, Commissioner Natalie Wilson and Commissioner Andrea Slattery

Absent: 1 - Commissioner James McMurray

2. Approval of the Minutes

2.A. [CPC 20-462](#) Minutes for the July 16, 2020 City Planning Commission

Presenter:

Reggie Graham, Chair, City Planning Commission

Motion by Commissioner Rickett, seconded by Vice Chair Hente, to approve the minutes for the July 16, 2020 City Planning Commission meeting. The motion passed by a vote of 6:0:1:2

Aye: 6 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Almy, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner McMurray

Recused: 2 - Commissioner Eubanks and Commissioner Wilson

3. Communications

Peter Wysocki - Director of Planning and Community Development

Mr. Wysocki clarified that the alternate Planning Commissioner would only participate in a meeting if there was not a quorum. The alternate would not participate if a commissioner was absent, but there was still a quorum.

Chair Graham welcomed new commissioner Andrea Slattery.

4. CONSENT CALENDAR

These items will be acted upon as a whole, unless a specific item is called for discussion by a Commissioner/Board Member or a citizen wishing to address the Commission or Board. (Any items called up for separate consideration shall be acted upon following the Consent Vote.)

Allen Builders

- 4.A. [CPC ZC 20-00067](#) Ordinance No. 20-64 amending the zoning map of the City of Colorado Springs pertaining to 4.99 acres located at 2845 Resnik Drive establishing the M-1/AO (Light Industrial with Airport Overlay) zone.

(Legislative)

Related Files: CPC ZC 20-00067 and CPC DP 20-00068

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

This Ordinance was recommended for approval on the Consent Calendar to the City Council.

- 4.B. [CPC DP 20-00068](#) The Allen Builders Development Plan establishing a light industrial use located at 2845 Resnik Drive.

(Quasi-Judicial)

Related Files: CPC ZC 20-00067 and CPC DP 20-00068

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

This Planning Case was recommended for approval on the Consent Calendar to the City Council.

Carlo Carwash

- 4.C. [CPC CU 20-00081](#) A Conditional Use Development Plan to allow an automotive wash use, located at 1802, 1804, 1808 East Dale Street and 803 and 827 North Union Boulevard.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

4.D. [CPC NV
20-00105](#)

A Nonuse Variance from City Code Section 7.3.204 allowing a 15-foot front yard setback where 20 feet is required, located at 1802, 1804, 1808 East Dale Street and 803 and 827 North Union Boulevard.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

Flying Horse Turin II

4.E. [CPC PUZ
20-00077](#)

Ordinance No. 20-67 amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres located north and west of the Highway 83 and Shoup Road intersection from A (Agriculture) to PUD (Planned Unit Development: single-family detached, 2-3.5 dwelling units per acre with a 35-foot maximum building height) .

(Quasi-Judicial)

Related File: CPC PUD 20-00078

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

This Ordinance was recommended for approval on the Consent Calendar to the City Council.

4.F. [CPC PUD
20-00078](#)

A development plan for the Flying Horse Turin II project proposing 95 single-family detached residential lots located at north and west of the Highway 83 and Shoup Road intersection.

(Quasi-Judicial)

Related File: CPC PUZ 20-00077

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

This Planning Case was recommended for approval on the Consent Calendar to the City Council.

Tutt Self Storage

4.G. [CPC ZC 20-00086](#)

Ordinance No. 20-68 amending the zoning map of the City of Colorado Springs pertaining to 1.48-acre from Planned Business Center with Conditions of Record and Streamside and Airport Overlays (PBC/cr/SS/AO) to Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO), located at 3855 and 3865 Tutt Boulevard.

(Quasi-Judicial)

Related Files: CPC ZC 20-00086, CPC DP 20-00093

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

This Ordinance was recommended for approval on the Consent Calendar to the City Council

4.H. [CPC DP 20-00093](#)

A Development Plan for the Tutt Self-Storage project to allow the development of a commercial building for an indoor mini-warehouse use.

(Quasi-Judicial)

Related Files: CPC ZC 20-00086, CPC DP 20-00093

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

This Planning Case was recommended for approval on the Consent Calendar to the City Council.

Chestnuts on the Creek

4.I. [CPC CU 19-00039](#) A Conditional Use Development Plan to allow multi-family residential and ancillary site improvements on .95-acre located at 770 Vondelpark Drive.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

4.J. [CPC R 20-00106](#) An Administrative Relief request to allow a 17-foot front yard setback where 20 feet is required, located at 770 Vondelpark Drive.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Commissioner Rickett, seconded by Vice Chair Hente, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

ITEMS CALLED OFF CONSENT

5. UNFINISHED BUSINESS

6. NEW BUSINESS CALENDAR

BLR Village B1

6.A. [CPC MP 87-00381-A2 5MJ20](#) A Resolution of the City Council of the City of Colorado Springs, Colorado, approving a major amendment to the Banning Lewis Ranch Master Plan.

(Legislative)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Staff presentation:

Katelynn Wintz, City Planning, presented a PowerPoint with the scope and intent of this project.

CPC MP 87-00381-A25MJ20 - Major Master Plan Amendment

A Major Master Plan Amendment to the Banning Lewis Ranch Master Plan for 32.4 acres to reduce the density of residential land use from Residential-High to Residential-M, located northeast of Redcloud Peak Drive and future Banning Lewis Parkway. (Legislative)

CPC V 20-00031 - Right-of-way Vacation

A Right-of-Way Vacation request for the Banning Lewis Ranch Village B1 project to allow the vacation of 6.446 acres of undeveloped public right-of-way known as Banning Lewis Parkway. (Legislative)

CPC PUZ 20-00029 - PUD Zone Change

A Zone Change request for the Banning Lewis Ranch Village B1 project changing 32.44 acres from Multi-Family and Single-Family Residential with Airport and Streamside Overlays to PUD/AO (Planned Unit Development: Single-Family Detached Residential, 3.5-7.99 Dwelling Units Per Acre, and a Maximum Building Height of 35 feet; with an Airport Overlay), located northeast of Redcloud Peak Drive and future Banning Lewis Parkway. (Quasi-Judicial)

CPC PUP 20-00030 - PUD Concept Plan

A PUD Concept Plan for the Banning Lewis Ranch Village B1 project establishing the residential develop pattern for 32.4 acres, located northeast of Redcloud Peak Drive and future Banning Lewis Parkway. (Quasi-Judicial)

Applicant Presentation:

Ken Puncerelli, LAI Design Group, presented a PowerPoint with the scope and intent of this project.

Questions:

Commissioner Hente asked --if the connection at Dublin and the extension of Banning Lewis Parkway was a part of this project and if not, when that would be.

Mr. Puncerelli said it was not part of this project and that it will happen when the other land parcels are brought in, probably within the year.

Commissioner Hente asked how people were going to get into it. Mr. Puncerelli

they would get in through the existing neighborhood on the Redcloud Peak Dr as well as Banning Lewis Ranch Parkway. Commissioner Hente asked if Redcloud Peak drive existed now, and Mr. Puncerelli answered that it does just to the west and this would be an extension to it. Commissioner Hente then asked at what point would the parkway be extended up to at least Woodmen Road. Mr. Puncerelli said he did not know the answer for that.

Commissioner Slattery asked how many acres have changed from originally planned high density residential to medium and with the adjacent high density residential, is it anticipated to want to move that to a lower density in the future.

Mr. Puncerelli said he did not have answers for that at this time because Oakwood was still studying the economics of development. Ms. Wintz added that there was no exact answer on what future changes would happen. As far as existing goes, there is only a certain section of Village three, south of Dublin where there was a few acreage changes from high to medium density.

Commissioner Raughton mentioned there were a number of floodplains and intermittent streams in the park design and asked if the concepts of low impact development to retain those within the park are were used.

Mr. Puncerelli said yes, that they will be integrating trails and then where mitigation is required due to erosion control issues and detention and/or stormwater quality, the idea is not to grade these so that they are like big canals and drainage culverts.

Commissioner Rickett asked for Mr. Todd Frisbie, City Traffic Engineering, to comment on the traffic and transportation in the area for the public to hear.

Mr. Frisbie said since there is a lot of development in the area, the traffic is being monitored, and it helps that the density when from high to medium which will generate less traffic than anticipated with the traffic study. A traffic study was done for this development and the intersections were evaluated and showed acceptable operations for this build out. Mr. Frisbie said they will be requesting of Oakwood as they develop the rest of the area a traffic study to look at the timing of improvements along Dublin and with regards to Banning Lewis Parkway. The timing of the extension is unknown but would help alleviate some traffic concerns that are currently being expressed at Dublin and Marksheffel and Marksheffel and Woodmen.

Commissioner Rickett thanked Mr. Frisbie and said he just wanted the public to know that the situation has been looked at and we are in good condition at least for now.

Commissioner Almy asked if the right-of-way vacation was basically downgrading Banning Lewis Parkways capacity and will be able to continue to have adequate north/south mobility with this downgrade.

Mr. Frisbie said a traffic study was completed for an annexation of the Banning Lewis North area, which looked at the capacity of roadways in this area given the future development. Right now, in that traffic study, it is showing that in the short term that with Banning Lewis Parkway in the downgraded capacity there will still be sufficient capacity to handle additional development in the area.

Supporters:

N/A

Opponents:

N/A

Questions of Staff:

N/A

Rebuttal:

N/A

DISCUSSION AND DECISION OF PLANNING COMMISSION:

None

Motion by Commissioner Rickett, seconded by Vice Chair Hente, that this Resolution be recommended for approval to City Council the major master plan amendment to the Banning Lewis Ranch Master Plan, based upon the findings that the request meets the review criteria for granting a master plan amendment as set forth in City Code Section 7.5.408. The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.B. [CPC V 20-00031](#) Ordinance No. 20-65 vacating portions of a public right-of-way known as Banning Lewis Parkway consisting of 6.446 acres.

(Legislative)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:
Katelynn Wintz, Senior Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

See Item 6.A. (CPC MP 87-00381-A25MJ20)

Motion by Commissioner Rickett, seconded by Vice Chair Hente, that this Ordinance be recommended for approval to City Council the right-of-way vacation for a portion of Banning Lewis Parkway, based on the findings that the request meets the review criteria granting a street vacation as set forth in City Code Section 7.7.402(C). The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.C. [CPC PUZ 20-00029](#)

Ordinance No. 20-66 amending the zoning map of the City of Colorado Springs relating to 32.44 acres located at Redcloud Peak Drive and Banning Lewis Parkway from R5/SS/AO (Multi-family Residential with Streamside and Airport Overlays) to PUD/AO (Planned Unit Development: Single-family detached, 3.5-7.99 dwelling units per acre, 35-foot maximum building height with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

See Item 6.A. (CPC MP 87-00381-A25MJ20)

Motion by Commissioner Rickett, seconded by Commissioner Raughton, that this Ordinance be recommended for approval to City Council the PUD zone change from Multi-Family Residential and Single-Family Residential with Streamside and Airport Overlays (R5/R1-6000/SS/AO) to Planned Unit Development: Single-Family Detached Residential, 3.5-7.99 Dwelling Units Per Acre, and a Maximum Building Height of 35 feet; with an Airport Overlay (PUD/AO) based upon the findings that the request meets the review criteria for establishing a PUD zone, as set forth in City Code Section 7.3.603, and the review criteria for a zone change, as set forth in City Code Section 7.5.603. The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.D. [CPC PUP 20-00030](#) A PUD Concept Plan for the Banning Lewis Ranch Village B1 project to allow a single-family residential development with ancillary public and private improvements located northeast of Redcloud Peak Drive and future Banning Lewis Parkway.

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
 Peter Wysocki, Director, Planning & Community Development

See Item 6.A. (CPC MP 87-00381-A25MJ20)

Motion by Commissioner Rickett, seconded by Commissioner Raughton, that this Planning Case be recommended for approval to City Council the PUD concept plan for Banning Lewis Ranch Village B1, based upon the findings that the request meets the review criteria for establishing a PUD concept plan, as set forth in City Code Section 7.3.605, and the review criteria for establishing a concept plan, as set forth in City Code Section 7.5.501(E). The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

Dickerson Addition No. 1 Annexation

6.E. [CPC A 19-00064](#) Ordinance No. 20-78 annexing to the City of Colorado Springs that area known as Dickerson Addition No. 1 consisting of 0.414 of an acre.

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
 Peter Wysocki, Planning and Community Development Director

Staff presentation:

Katie Carleo, City Planning, presented a PowerPoint with the scope and intent of this project.

Applicant Presentation:

David Hostetler, representing the applicant, was available for any questions.

Questions:

N/A

Supporters:

N/A

Opponents:

N/A

Questions of Staff:

N/A

Rebuttal:

N/A

DISCUSSION AND DECISION OF PLANNING COMMISSION:

N/A

Motion by Commissioner Rickett, seconded by Vice Chair Hente, to recommend approval to City Council the annexation of .414-acre as the Dickerson Addition No. 1 Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203. The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.F. [CPC ZC 20-00055](#)

Ordinance No. 20-79 amending the zoning map of the City of Colorado Springs pertaining to 0.331 of an acre located southwest of Siferd Boulevard and Rosalie Street establishing the R-5 (Multi-family Residential) zone.

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

See Item 6.E. (CPC A 19-00064)

Motion by Commissioner Rickett, seconded by Commissioner Almy, to recommend approval to City Council the establishment of .331-acre as R-5 (Multi-family Residential) zone district, based upon the findings that the change of zone request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B). The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.G. [CPC PFP 20-00056](#) Dickerson Preliminary-Final Plat for property located southwest of Siferd Boulevard and Rosalie Street consisting of .331-acre.

(Quasi-Judicial)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

See Item 6.E. (CPC A 19-00064)

Motion by Commissioner Rickett, seconded by Commissioner Almy, to recommend approval to City Council the Dickerson Preliminary/Final Plat, based upon the findings the proposal meets the review criteria for subdivision plats as set forth in City Code Section 7.7.102, for preliminary plat as set forth in City Code Section 7.7.204, and for final plat as set forth in City Code Section 7.7.303. The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

Mazariegos Addition No. 1 Annexation

6.H. [CPC A 18-00116](#) Ordinance No. 20-76 annexing to the City of Colorado Springs that area known as Mazariegos Addition No. 1 consisting 0.165 of an acre.

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Staff presentation:

Katie Carleo, City Planning, presented a PowerPoint with the scope and intent of this project.

Applicant Presentation:

None

Questions:

N/A

Supporters:

N/A

Opponents:

N/A

Questions of Staff:

N/A

Rebuttal:

N/A

DISCUSSION AND DECISION OF PLANNING COMMISSION:

N/A

Motion by Commissioner Wilson, seconded by Vice Chair Hente, to recommend approval to City Council the annexation of .165-acre as the Mazariegos Addition No. 1 Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203. The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

- 6.I. [CPC ZC 19-00141](#) Ordinance No. 20-77 amending the zoning map of the City of Colorado Springs pertaining to 0.165 of an acre located at 4221 Date Street establishing a R-5 (Multi-Family Residential) zone

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC

19-00141, CPC PFP 20-00082

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
 Peter Wysocki, Planning and Community Development Director

See Item 6.H. (CPC A 18-00116)

Motion by Commissioner Wilson, seconded by Commissioner Rickett, to recommend approval to City Council the establishment of .165-acre as R-5 (Multi-family Residential) zone district, based upon the findings that the change of zone request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B). The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.J. [CPC PFP 20-00082](#) Mazariegos Preliminary-Final Plat for property located at 4221 Date Street consisting of .165-acre.

(Quasi-Judicial)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development
 Peter Wysocki, Planning and Community Development Director

See Item 6.H. (CPC A 18-00116)

Motion by Commissioner Wilson, seconded by Vice Chair Hente, to recommend approval to City Council the Mazariegos Preliminary/Final Plat, based upon the findings the proposal meets the review criteria for subdivision plats as set forth in City Code Section 7.7.102, for preliminary plat as set forth in City Code Section 7.7.204, and for final plat as set forth in City Code Section 7.7.303. The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

Peak Center Addition No. 1 Annexation

6.K. [CPC A 19-00134](#) Peak Center Addition No. 1 Annexation located east of Voyager Parkway along Old Ranch Road consisting of 11.36 acres.

(Legislative)

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development

Staff presentation:

Katie Carleo, City Planning, presented a PowerPoint with the scope and intent of this project.

CURRENTLY UNINCORPORATED EL PASO COUNTY

- Two lots; approximately 5 acres each
- Zoned RR-5 (Rural Residential)
- Existing single-family home on each of property
- **Existing Human Service Establishment currently operating in El Paso County**

(Up to 8 individuals per site)

NEAR ENCLAVE

- Meets contiguous boundary requirement
- Supports elimination of enclaves (Near Enclaves)
 - Close boundary and gap to services

PROPOSED APPLICATIONS

Annexation: Voluntary Annexation by property owner

Zone Change: establishing a OC (Office Complex)

Concept Plan

Applicant Presentation:

Andrea Barlow, N.E.S., representing Peaks Recovery, as well as Brandon Burns from Peaks Recovery, presented a PowerPoint with the scope and intent of this project.

Project Site

- Approximately 9-acres consisting of two properties:
 - 1785/ 1775 Old Ranch Road - approx. 4.9 acres
 - 1865 Old Ranch Road- approx. 4.8 acres
 - Primary access is onto Old Ranch Road.
- Kettle Creek traverses the property along the south

Application Request

Annexation

Peak Center Addition No. 1 to the City

Zone Change

County Zoning (RR-5) to City OC (Office Complex) Zone District

Concept Plan

Both properties: 1785/1775 and 1865 Old Ranch Road

Future Site Development

Development Plans will be required for any new development (not part of the

current application request).

Questions:

Commissioner Hente said he was confused about the term dormitories since it was excluded for this project, yet there will be people staying there for a period of time and that sounds like dormitories. Commissioner Hente asked for the definition of dormitory.

Ms. Barlow said she would need to defer to staff on what the code actually defines as dormitories, but shared that her interpretation of a dormitory was something specifically associated with a college or university. The use is human service establishment per code, so it does not fall under the category of dormitory.

Ms. Carleo further explained that under City Code, there is a cap to the number of people who can stay at a human services establishment, as well as required licensing with the state. Whereas a dormitory has a much higher capacity or higher density.

Commissioner Hente commented that the way Mr. Burns defined it was a little bit different from what the city definition was. Commissioner Hente said he could understand the public might be a little confused and that the prohibited items could possibly be spelled out differently to eliminate some confusion.

Ms. Barlow reiterated that there would be 12 beds in each unit and the significant difference is there is the element of care therapy that is associated with these beds rather than a dormitory is just people residing there.

Ms. Carleo and Mr. Wysocki, Director of Planning & Community Development, explained the ordinance would need to have the language of city code since there are distinct definitions for dormitory and human service establishment.

Commissioner Hente said he was asking for something as simple as putting the explanation of dormitory as defined by city code section...which would help eliminate the confusion when somebody looks at the application. Commissioner Hente said if there was anything to help clarify with the public it would work to our benefit.

Commissioner Eubanks asked if Peaks Center has had any issues or complaints at either of their sites in the past regarding the residents.

Mr. Burns answered that Peaks Center has been in the area for six years and all the locations have surveillance 24/7 with no blind spots on facilities including Brook Park Drive.

Commissioner Rickett inquired about the property to the east of the site and if there were any comments from them. Ms. Barlow explained the property to the east was annexed into the city and is a single-family home on a large lot. Ms. Barlow pointed to two other parcels that were owned by the church and that they understood the church was seeking to purchase the parcel in the middle.

Commissioner Rickett said it sounded like her client was going to try purchasing the lot to the west and asked if that was correct. Ms. Barlow answered that approach had been made because it was a logical continuation of the annexation of the church. The property would provide more of a campus feel and give the opportunity to possibly expand in the future.

Commissioner Rickett verified that private residents are on both the east and west, and Ms. Barlow confirmed that.

Commissioner Slattery asked if the 12 beds in each existing home were currently operating as a treatment facility. Ms. Barlow confirmed it is operational as a treatment facility per the El Paso County letter of approval for the use. Ms. Barlow added there are activities on the property that are beyond the parameters of that, but that is mainly due to consolidation of operations due to COVID.

Supporters:

None

Opponents:

Kelly FASTERLING, representing the Spring Crest Neighborhood Alliance

- Community involvement and input is critical to the evaluation of projects that are submitted into the planning process
 - Equally or even more important to assess the detrimental impact on long established neighborhoods
 - Prior to the start of this project the two homes that have been acquired were homes just like the rest of the neighborhood
 - Neighborhood is rural, which is why people bought in the area
 - Special because of the ambience, privacy, and it's feel
- Phase III will increase traffic and noise with the residents from Brook Park Drive being transported to the old ranch for therapy
- Plans were already underway before the neighborhood was informed
- In neighborhood meeting, 51 individuals sent an email to planner, Katie Carleo, in opposition to the project and only 1 email was sent in favor
- A petition was signed in opposition to the project and out of 75 households, 68 of those households signed the petition (103 people,

91% of the neighbors)

- This project violates zone criteria Section 7.5.603.B
 - The action will not be detrimental to public interest, health, safety, convenience or general welfare
 - This is not true at all
 - Will the proposed development overburden the capacities of existing streets, utilities, parks, schools or other public facilities
 - Yes it does
 - Does the proposed development promote the stabilization and preservation of existing properties in the adjacent area and surrounding residential neighborhoods
 - No it does not
 - Does the concept plan show potentially detrimental use from commercial to single-family will be mitigated and does it provide a gradual transition between those different intensities
 - No it does not

Brian Fasterling

- Regarding public interest, the neighborhood fully supports the nature of the services provided by Peaks Recovery, however, the services can be provided anywhere in the region and are not so inextricably linked to the public interest that they could be used as an excuse to trounce the local public interest of any community, wherein the defendant (sic) seeks to establish a foothold convenient to them, then force the public to adapt to the impact of this vehemently opposed commercialization
- Regarding health
 - The Spring Crest neighborhood has already paid a hefty emotional price for the proposed plans and will only get far worse if the plans are fully realized
 - The defendants intentions are a continuing cause of mental anguish for the entire Spring Crest community and are thus detrimental to our health
- Regarding Safety
 - Spring Crest neighbors have already witnessed and documented a couple of disturbing occurrences in the immediate vicinity of Peaks Recovery Facility; occurrences which have never been observed in the recollection of any Spring Crest resident
 - Have firsthand knowledge of crime and open drug use issues in the area of the Brook Park location
- Regarding Convenience
 - The defendants assertion there will be zero impact on local traffic is patently false and a violation of basic principles of math and physics

- By the time the full implementation of all additional beds, housing staff, office space, outpatient clients is taken into account, the extra traffic will irrefutably inconvenience anyone who drives the immediate area
- Regarding General Welfare
 - Spring Crest neighborhood will suffer nearly 100% of the undeniable negative impacts of the defendant's plans on our way of life
 - Noise, crime, extra traffic, commercial encroachment, light pollution and other detriments foisted on the community
- Concept Plan
 - No concept plan shall be approved unless the plan complies with all the requirements of the zoning district and is compatible with existing and proposed land uses surrounding the site to that effect
 - This proposal is destabilizing for the surrounding area
 - Spring Crest neighborhood is rural residential consisting of open spaces and many million dollar homes
 - Carving out a chunk of that peaceful setting to construct a massive commercial campus complex indisputably does not preserve the character of the existing properties
 - Peaks Recovery's attempts to quietly acquire the homes on either side of them to get more commercially zoned properties speaks to an expansionist agenda that would further degrade the surrounding residential neighborhood
 - The proposed plan provides no true transition area whatsoever
 - It is immediately adjacent to existing single-family homes

Nancy Wallace, lives in the Creekside Estates

- Old Ranch Road is two lanes with no sidewalks, no shoulders, with large and uneven drop offs and no turn lanes and no center medium
- That section, which is County property, has spotty maintenance and does not get plowed
- There is also a very difficult blind spot coming east from Voyager Parkway just before Otero Avenue
- No plans in the future to widen Old Ranch Road
- Waiting to turn onto Old Ranch Road from any of the side streets can easily be a lengthy wait and a dangerous move
 - Multiple accidents have occurred at Old Ranch Road and Voyager Parkway, as well as Old Ranch Road and Otero Avenue
 - The proposal is located between these two problematic intersections
 - All other commercial businesses on the north side of Old Ranch

Road must exit to Federal Drive

- Otero Avenue is a rural road with blind driveways, no shoulders, and no sidewalks
 - Road is used by residents for walking and biking
 - People drive too fast on Otero Avenue
 - Blind spots around the curb with four foot tall shrubs and pedestrians cannot be seen
 - School at the end of Otero also adds significantly to the traffic
 - One neighbor has already been hit by a car while out for a walk and others have had to jump out of the way of the cars
 - It would be much easier for staff and visitors to the proposed site to turn right out to the center onto Old Ranch Road and then right onto Otero Avenue and use this as a cut through to Voyager Parkway where there is a light, which will add many more vehicles onto Otero Avenue daily
- Existing usage already has more than the 12 stated in the proposal and the additional phases will presumably add 39 additional cars
 - Has logged over 12 cars at the site repeatedly
 - Believes there will be 60 to 70 cars after all phases and not 51

Steve Luna, resides at 1975 Alamosa Drive

- Pointed out the city's current annexation plan:
 - On page 16, it says this area of approximately 406 acres is located south of old ranch road along the east side of I 25. This area is characterized by low-density residential development on individual water and wastewater systems
 - Most of the land is developed and thus the land use pattern is established. It is anticipated that this land use pattern will continue and redevelopment is unlikely.
 - In general, the city's policy has been to not annex these very low-density residential areas
 - Old ranch road serves as a natural boundary between the city and the county
 - The church that's been referenced previously borders Voyager so it does not set a precedent
 - If the city starts annexing properties along old ranch road, where does it stop?
 - Pointed out chapter two vibrant neighborhoods section of PlanCOS:

- Under goals and policies. It lists several strategies that are relevant
 - Collaboratively include and partner with neighborhood associations on planning initiatives of community importance
 - Update plans and city code to encourage a blend of uses that positively affect neighborhoods
 - Encourage neighborhood plans and initiatives that reflect neighborhood identity
- 91% of households in the neighborhood are against and do not believe that it would positively affect the neighborhood, nor is it in character with the neighborhood
- The proposed project would change the rural character of the community
- Although the traffic department said that a traffic study is not necessary, the neighborhood has gathered significant evidence to the contrary
- It is reasonable to ask the applicant to pay for a traffic study and asked that the Planning Commission direct the applicant to do so

Matt Dutton, lives on Otero Avenue

- Opposes the annexation
- Noise issues
 - the last couple of months have heard the facility every day
 - Commercial office use is not a good fit for this residential area or for the neighborhood

Amy Twaddle, Spring Crest neighbor

- Property Valuation and some of the impacts to our community
 - Want to keep the neighborhood as rural
 - Spring Crest was not part of the Briargate Annexation in 1982 and there was a reason for that
 - Would like to preserve the neighborhood as it is
- Feels like there was other commercial property that the applicants could have bought
- Asked the planning commission to deny the application and keep the zoning as is

Renee Henshaw, Spring Crest neighbor, lives on Kit Carson

- Concurs with all the neighbors on keeping with the residential feel
- If annexation goes through, still opposed to the rezoning to prohibit the expansion of the operation
- Rebutted that the Brook Park facility does have issues

- A police record check since 2017, there has been over 30 calls for service at that location
- Many were alarms and hang up calls
- Many instances were suicidal party's calls for help
- Calls of shots fired in the vicinity

Rebuttal:

Ms. Andrea Barlow addressed the following comments:

- There was a comment that residents from Brook Park would be coming to this facility for therapy
 - Ms. Barlow said to some degree that was true
 - Will happen during Phase III
 - Frequency of possibly once a month in a group of 15 maximum on which will be transported in a bus or minivan and will include family members. It is family intensive to reintroduce the families and residents for
 - Brook Park is the only other facility the applicant operates and the visitors will either be residents at this facility or Brook Park
 - Ms. Barlow reiterated that this is a protected class and to be careful with any discriminatory comments
 - Overburdening facilities with streets and traffic a main concern:
 - The applicant was not asked to do a traffic study because the traffic generated from this project would be very minimal in comparison with the capacity of Old Ranch Road and the traffic that has been generated from the overall area
 - That portion of Old Ranch Road will be annexed into the City which will take the annexation of the road from the eastern edge of the property all the way to Montezuma, which will facilitate improvements
 - Curb, gutter and sidewalks will be provided along that stretch of Old Ranch Road that is in front of the property
 - This will allow the city the opportunity to do improvements to that road which is currently in the county
- Destabilization of the neighborhood
 - There was a comment there was a young lady in a hoodie walking around the neighborhood
 - This facility serves all men, so it was not generated by this property
 - Mr. Dutton commented on the noise generated by the facility. There was no specific incidences or occurrences, just that he heard noise from the property all the time
 - Therapy sessions take place in the buildings, so any

- noise or activity could potentially be from staff coming and going
 - There has also been a lot of workman on the property to install the fences and to install HVAC throughout all the facility, so there has been a lot of coming and going as is often the case with new property
 - The development component is very much focused towards the front of the property adjacent to Old Ranch Road where there has been a lot of change and activity, and there is going to be future change in the character of that area
- Transition into the neighborhood
 - There is a definite transition between this property and within the property itself with the Kettle Creek area on the south, and the existing residences which will be occupied as residences, and then the more active therapy areas toward the front
 - There was a reference to this being an office complex
 - It is not an office complex and the reason the applicant chose this was because there are existing substantial residences that could be converted into a home for these people, not a prison, a home
 - The homes are very beautiful, high end with pools
 - It's creating a residential feel for the clients
 - The new buildings will maintain that residential architectural style
- Comments about why the applicant did not look elsewhere or why not develop a commercial site anywhere else in the city
 - The applicant has been looking for a couple of years trying to find the right location
 - Some sites were right in the middle of residential areas, and that wasn't really appropriate with the level of activity
 - This property, which is on the edge of a residential area and an intensely developed and developing commercial industrial area would be a better transitional use
- Comment about activities on the site are more intense than allowed
 - Applicant has acknowledged that and has had correspondence with the city regarding what was taking place and explaining that due to the COVID situation, the applicant has had to consolidate a lot of their operations at this one location on a temporary basis for safety and security of their residents.
- Comment that the neighborhood would be severely disrupted by traffic noise, crime occurring, commercial encroachment, light pollution and other detriments
 - Those were pretty inflammatory and discriminatory remarks in

context of associating crime with this type of facility

- Residents stay on site and are not allowed to go off site
- The traffic as indicated will be pretty minimal
- Noise - there will be some activity but it is not going to be intense commercial complex
- Light pollution - there no additional lighting proposed over and above what would be expected on a residential home that there right now, and the same with the future buildings, which will have low scale residential lighting
- There are security cameras located throughout the facility
- Ms. Barlow reiterated that the properties are oriented towards Old Ranch Road and that neighbors have indicated Old Ranch Road is fairly busy now, but the traffic the facility will generate would not impact or cause a significant change in traffic patterns or to warrant any significant offsite improvements through this development alone

Additional Questions:

Commissioner Raughton mentioned that Old Ranch Road appears to be a collector standard or higher right of way and asked what is the design standard expected for Old Ranch Road.

Ms. Barlow explained she would need to defer to traffic engineering for that, but reiterated that through this project, they were not proposing any traffic improvements to Old Ranch Road in terms of widening other than putting curb, gutter and sidewalk in the standard public routes.

Todd Frisbie, City Traffic Engineering, explained Old Ranch Road is a minor arterial standard in the city's normal transportation plan, which has also (**This was inaudible as the audio did not pick up Mr. Frisbie's voice**).

Commissioner Raughton then asked if the proposed subdivision would provide adequate right of way for that, or would it require a subsequent meeting. **Mr. Frisbie's reply was inaudible**. Yes the annexation is providing some additional right-of-way for future expansion of Old Ranch Road.

Ms. Barlow added that their concept plan shows a strip of land about 12-feet wide that is future right-of-way dedication. The concept plan itself does not dedicate that right-of-way, but it indicates that as requested by the city.

Commissioner Rickett asked if this has to be an annexation to the concept plan and this will have further scrutiny by the planning staff and at that point would there possibly be a traffic study for the buildings that are going to be proposed.

Ms. Barlow said the development plan would need to be submitted, but she did not believe a further traffic study would be requested. That is usually requested at the zoning and concept plan level and not when it gets down to the detail development plan stage.

*(Most of Mr. Frisbie's reply was inaudible...) The entire project overall was not significant enough for us to warrant the traffic study at this time.

Ben Bolinger, City Attorney's office, explained that anytime a group home comes up, there are issues with the Fair Housing Act, and he went over what that means.

- The Fair Housing Act is a federal law that prevents discrimination in provision of housing.
- Discrimination includes people with disabilities and people with disabilities includes people who may be addicted to drugs or alcohol.
- It's important when reviewing a zone or concept plan, that there is no discrimination against people with disabilities, and that includes considering the comments of the public, which may be discriminatory.
- If any comment have been heard or any written comments that have been presented that are based on fear, prejudice, or stereotype of people with disabilities, they need to be disregarded.
- Mr. Bolinger asked if the vote was to disapprove the project to state for the record the reason why in order to know that any discriminatory comments were ignored and that the valid criteria for the application was used.

Commissioner Rickett asked the applicant if there had been issues at their other facility that had been alluded to earlier.

Mr. Burns said there are phone calls that the facility makes in regards to the community mobile response team that does allow for the facility to transport more acute patients than they are capable of handling. That is also an important component of being annexed into the city per these locations.

Mr. Burns shared their patients are not allowed to have their cell phones, carry money, have debit cards, Visas, personal IDs or anything of that nature that would allow them an opportunity to have those issues brought into the neighborhood. The Brook Park area has had incidents of gunshots and other sorts of calls that were completely unrelated to the facility. Mr. Burns wanted the Planning Commission to know how the facility restricts the patient demographic from having access to tools, technology, money or otherwise that would allow for these event to be commonplace within these environments.

Mr. Wysocki added that he verified with the city's Neighborhood Service Division

and there were no records or requests for nuisance violations through code enforcement for things like noise, excessive traffic, trash, and things to that nature. There have been calls to police and fire dispatch from the facility itself, but not against the facility.

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Eubanks made the following comments:

- She will be voting in favor of the annexation, zone district and concept plan
- This is an appropriate use for the area
- The entry is off of a major road and does not directly go through neighborhood streets
- The surrounding uses are office and religious, as well as residential
- The applicants were mindful in choosing that location and it provides an important service to the community and to the city

Commissioner Almy made the following comments:

- In favor of the three parts to this request
- Regarding the comment about transitional activities, Commissioner Almy said the use of this property is transitional from a more office industrial to the residential
- This is more of a blend and just does not drop off into residential from a commercial

Commissioner Rickett made the following comments:

- Thanked the residents of Spring Crest and explained that he had looked at purchasing property in that area for some of the same reasons that they lived there
- Hard decision for him to make knowing why the residents purchased in that area
- Will be voting for the annexation and agreed with Commissioner Almy that this is a nice transitional zone
- With the church buying property that also makes the transition into the neighborhood
- Commissioner Rickett specifically asked the members of the public listening if anybody was going to comment who lived to the east or west of this property, as those two properties would probably have the most impact, but no one from the east or west commented

Motion by Commissioner Slattery, seconded by Commissioner Rickett, to recommend approval to City Council the annexation of 11.36 acres as Peak Center Addition No. 1 Annexation based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203. The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.L. [CPC ZC 20-00032](#) Establishment of an OC/CR/SS (Office Complex with Conditions of Record and Streamside Overlay) zone district located east of Voyager Parkway along Old Ranch Road and consisting of 9.76 acres.

(Legislative)

Presenter:
Katie Carleo, Principal Planner, Planning & Community Development

See Item 6.K. (CPC A 19-00134)

Motion by Commissioner Rickett, seconded by Vice Chair Hente, to recommend approval to City Council the establishment of 9.76 acres as OC/CR/SS (Office Complex with Conditions of Record and Streamside Overlay) zone district, based upon the findings that the change of zone request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) with the following conditions of record:

Prohibited Uses:
Dormitory, fraternity, sorority, multi-family dwelling, automotive rentals, food sales, funeral services, hotel/motel, mini warehouses, restaurants, general retail, cemetery, education institutions, hospitals, medical marijuana and mining operations.

The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

6.M. [CPC CP 20-00033](#) The Peaks Recovery Concept Plan for a licensed drug and alcohol addiction treatment residential facility including 24-hour staffing and future phased development of the property located east of Voyager Parkway along Old Ranch Road consisting of 9.76 acres.

(Quasi-Judicial)

Presenter:
Katie Carleo, Principal Planner, Planning & Community Development

See Item 6.K. (CPC A 19-00134)

Motion by Commissioner Rickett, seconded by Vice Chair Hente, to recommend approval to City Council the Peaks Recovery Concept Plan,

based upon the findings the proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E). The motion passed by a vote of 8:0:1:0

Aye: 8 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett, Commissioner Wilson and Commissioner Slattery

Absent: 1 - Commissioner McMurray

BLR North Annexation

6.N. [CPC A](#) [19-00022](#) Banning Lewis Ranch North Annexation located along the north and south side of Woodmen Road between Mohawk Road and Golden Sage Road consisting of 887.08 acres.

(Legislative)

Presenter:
Katie Carleo, Principal Planner, Planning & Community Development

Staff presentation:

Katie Carleo, City Planning, presented a PowerPoint with the scope and intent of this project.

CURRENTLY UNINCORPORATED EL PASO COUNTY

- The site is currently vacant and located within unincorporated El Paso County
- Some grade change with a small area of tributary running north/south along a small portion of the site
- One existing structure is located on a small parcel along East Woodmen
- Existing County Zoning:
 - RR-5 (Rural Residential)
 - PUD (Planned Unit Development)
 - A-5 (Agricultural)

PROPOSED APPLICATIONS

Annexation: Voluntary Annexation by property owner
 Master Plan
 PUD Concept Plan
 Zone Change: Establishing PUD (Planned Unit Development)

FISCAL IMPACT ANALYSIS: Completed August 7, 2020

- Required for all annexation requests
- Completed by the City Budget Office
- Fiscal review of City costs related to infrastructure and service for a 10-year timeframe
 - Note: build-out of this development is projected for 15-years, the FIA only evaluates on a 10-year timeframe

FIA Determinations

- Results in a positive cumulative cashflow for the City in the 10-year timeframe evaluated
 - New development added defray burden created
 - Combination of factors:
 - Primarily the mix of demographics projected
 - Sales taxable construction
 - Commercial development

ZONE CHANGE

Establishing: Planned Unit Development (PUD)

- Mix of uses
- Governed by the Master Plan

LAND USE PATTERN ESTABLISHED

- Master Plan / Concept Plan
- Commercial centers along major roadways
- Higher density residential outward to lower density
 - Similar urban low density as seen existing within El Paso County & other City developments adjacent to County

TRAFFIC

Full TIA completed and accepted by City Traffic Engineering

- Woodmen Rd into City
- Banning Lewis Pkwy extension
- Aligns with future region wide roadway extensions planned
- Center transportation spine: Woodmen Rd & Banning Lewis Pkwy
 - Establishment of commercial and high volume activity from these corridors

PARKS

Open Space and Parks established with the Mater Plan

- Approx. 60 acres of new parks. Dedicated to the City for future development.
- Trail corridors extended and new introduced along open space
- Final Parks Board Approval still pending. To be heard at September Board Meeting

SCHOOLS

Within School District 49

- High School site located north
- School site centrally located
- Staff's understanding this meets the needs of the District

PUBLIC POSTING AND NOTIFICATION

- Postcards sent to 275 property owners within 1000-foot buffer
 - Internal review and prior to public hearing

PUBLIC PARTICIPATION COMMENTS

- Six letter received with questions and concerns
 - Traffic increase
 - Loss of open space as it exists today
 - Loss of rural lifestyle

Applicant Presentation:

Andrea Barlow, N.E.S. on behalf of Nor'wood Development Group, presented a PowerPoint with the scope and intent of this project.

Questions:

Commissioner Raughton asked where the water comes from for the Sterling Ranch and Wolf Ranch developments and if it was based on wells. Ms. Barlow explained they have a centralized water system through the Metropolitan District for Sterling Ranch where they draw their water from further afield in the county, and they have bought water rights to service that Metropolitan District. Commissioner Raughton asked if they were relying on the aquifer. Ms. Barlow confirmed they were not.

Supporters:

None

Opponents:

None

Rebuttal:

None

Questions of Staff:

None

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Wilson made the following comments:

- Concerned about sprawl and the way the city is sprawling so far east
- If we continue to sprawl we will envelop Falcon and it does not seem like a sustainable practice for a city to keep sprawling like that
- Believes we have plenty of space with what we have, we just are inefficient with the use of the space that we currently have
- We should be preserving our natural areas; our natural short grass prairie has a surprising amount of ecological diversity
- Having a high residential product does not help to preserve those natural areas
- How far are we going to expand; when are we going to say this is it, we are not going to expand anymore

- Cannot just focus on the financial benefit where there are so many other bigger aspects
- As a Planning Commission need to focus on a good buffer
- Will not be voting in favor of the annexation

Commissioner Raughton made the following comments:

- Has struggled with the same issues with annexation but now what concerns him most are the types of developments
- There are strategies we can work for preservation of this unique environment
- As a Planning Commission and a city, we need to do our level best to manage the urbanization of these areas, cooperate with groups like the Nature Conservancy and others, and we can do better service

Motion by Vice Chair Hente, seconded by Commissioner Raughton, to recommend approval to City Council the annexation of 887.08 acres as Banning Lewis Ranch North Annexation based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203. The motion passed by a vote of 7:1:1:0

Aye: 7 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett and Commissioner Slattery

No: 1 - Commissioner Wilson

Absent: 1 - Commissioner McMurray

6.O. [CPC MP 19-00123](#)

The Banning Lewis Ranch North Master Plan for proposed commercial, industrial, civic, single-family residential, multi-family residential, parks and open spaces located along the north and south side of Woodmen Road between Mohawk Road and Golden Sage Road and consisting of approximately 809.6 acres.

(Legislative)

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development

See Item 6.N. (CPC A 19-00022)

Motion by Vice Chair Hente, seconded by Commissioner Raughton, to recommend approval to City Council the establishment of the Banning Lewis Ranch North Master Plan based upon the findings that the master plan complies with the criteria for master plans as set forth in City Code Section 7.5.408. The motion passed by a vote of 7:1:1:0

Aye: 7 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett and Commissioner Slattery

No: 1 - Commissioner Wilson

Absent: 1 - Commissioner McMurray

6.P. [CPC PUZ 19-00124](#) Establishment the Planned Unit Development zone district with an Airport Overlay (PUD/AO) accommodating commercial, industrial, civic, single-family residential, multi-family residential, open space and parks uses as defined by the Banning Lewis Ranch North Zoning and Design Standards for 809.6 acres located along the north and south side of Woodmen Road between Mohawk Road and Golden Sage Road.

(Legislative)

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development

See Item 6.N. (CPC A 19-00022)

Motion by Vice Chair Hente, seconded by Commissioner Rickett, to recommend approval to City Council the establishment of 809.6 acres as PUD/AO (Planned Unit Development; commercial, industrial, civic, single-family residential, multi-family residential, open space and parks as defined by the Banning Lewis Ranch North Zoning and Design Standards with maximum residential density of 2900 dwelling units and Airport Overlay) zone district, based upon the findings that the change of zone request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) as well as the criteria for establishment of a PUD zone district as set forth in City Code Section 7.3.603. The motion passed by a vote of 7:1:1:0

Aye: 7 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett and Commissioner Slattery

No: 1 - Commissioner Wilson

Absent: 1 - Commissioner McMurray

6.Q. [CPC PUP 19-00125](#) The Banning Lewis Ranch North PUD Concept Plan establishing proposed commercial, industrial, civic, single-family residential, multi-family residential, open space and parks located along the north and south side of Woodmen Road between Mohawk Road and Golden Sage Road and consisting of approximately 809.6 acres.

(Quasi-Judicial)

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development

See Item 6.N. (CPC A 19-00022)

Motion by Vice Chair Hente, seconded by Commissioner Rickett, to recommend approval to City Council the Banning Lewis Ranch North PUD Concept Plan, based upon the findings the proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E) and criteria for PUD concept plans set forth in City Code Section 7.3.605. The motion passed by a vote of 7:1:1:0

Aye: 7 - Vice Chair Hente, Commissioner Raughton, Chair Graham, Commissioner Eubanks, Commissioner Almy, Commissioner Rickett and Commissioner Slattery

No: 1 - Commissioner Wilson

Absent: 1 - Commissioner McMurray

7. PRESENTATIONS/UPDATES

8. Adjourn