

City of Colorado Springs
City Planning Commission
Meeting Minutes – Excerpt
Wednesday, August 13, 2025

8.A. ANEX-24-0016 – Miller Downs Annexation

Miller-Downs at Wyoming Lane Addition No. 1 Annexation consisting of 21.37 acres located at 7020 Wyoming Lane.

(Legislative)

Council District # 6 (once annexed)

8.B. LUPL-25-0006 – Miller Downs Land Use Plan

Establishment of the Miller Downs Land Use Plan for proposed residential use consisting of 21.37 acres located at 7020 Wyoming Lane.

(Legislative)

8.C. ZONE-25-0015 – Miller Downs Zone Establishment

Tamara Baxter, Planning Supervisor, presented the Miller-Downs at Wyoming Lane Addition No. 1 Annexation, the Establishment of the Miller Downs Land Use Plan for proposed residential use, and the Establishment of R-Flex Medium/SS-O/AP-O (R-Flex Medium with Streamside and Airport Overlays) zone district, consisting of 21.37 acres located at 7020 Wyoming Lane. The property is part of an enclave, currently zoned RR-5 with Commercial Airport Overlay. The proposed use will be single-family detached and attached residential.

Ms. Baxter said there are three proposed access points. The primary one is located to the west through the Quail Brush Creek subdivision, access to the east will be for the existing single-family residence that will be retained on the property, and access to the south is Sand Creek, where there is a Streamside Overlay and some limitations along that area. The R-Flex Medium zone allows for 5 to 16 units per acre, and the applicants are proposing 5.2 units per acre, equating to about 110 homes in the development. Ms. Baxter said there is a 30-foot remanent piece of property along Wyoming Lane, and its ownership needs to be resolved by the time of final platting, and this will be a condition for approval.

Ms. Baxter said a neighborhood meeting was held on July 31st, in addition to public meetings. Standard Notice was sent out; about 25 to 30 comments were received, both in support and opposition. The comments in opposition were related to traffic, access, safety, inadequate infrastructure, evacuation, density, wildlife habitat and increased noise. Agency Review was made, and comments were provided, some of those were addressed, while others will be part of the approval conditions. This application complies with PlanCOS and meets the review criteria for annexation, land use plan and zone establishment.

Commissioner Rickett asked if access along Wyoming stops the exit in case of an emergency. Ms. Baxter said there will be no emergency access off Wyoming Lane, as it currently is the access for the existing home.

Commissioner Rickett asked if there is access from the neighborhood to Wyoming. Ms. Baxter said there is no access in that area, the primary access will be from the west, through Quail Brush subdivision.

Commissioner Rickett asked if there is an opportunity for an emergency egress into Wyoming. Ms. Baxter said those roads are private roads and are not equipped to handle large vehicles.

Bryan English, Development Projects Manager, Colorado Springs Utilities, provided a service overview of the proposed Annexation. Mr. English said the water extension ordinance requires City Council approval to extend service outside city limits. He presented the current water portfolio where the Reliably Met Demand is 95,000 acre-feet/year (AFY), more than 128% of the Existing Usage of 70,325 AFY. He said this project meets the exception of the enclave, with a projected water demand of 38 AFY, which meets the minimis impact on the water supply. Mr. English spoke about the requirements for an annexation in the Code, where the owner shall deed to all groundwater underlying the land to the City and any water rights historically used, the owner shall dedicate rights of way and easements. He said there is a well and a septic system currently used for the single-family residence and it is the owner's intention to keep them. He said this will be allowed until the owners have to apply for a permit to repair, replace or modify the septic system, in which case, if they are located within 400 feet of an existing collection, they will be required to connect. Mr. English said this property is located in the Mountain View Electric Association Service territory who are entitled to compensation if the property is incorporated to the

Springs Utilities' service territory at the owner or developer's expense. He said from a natural gas perspective, they are in the Spring Utilities Natural Gas Service territory. He said water services are already existing to the west of the property, and at the owner or developer's expense they would be required to design and construct distribution mains and facilities within the property to provide adequate redundancy for domestic and fire protection. He said from a wastewater perspective there are existing collection lines that can be extended into the property at the owner or developer's expense, and they will, as well, incur in the expenses to extend gas lines designed and constructed by Utilities. Mr. English said they can also provide electric and fiber infrastructure, which will help monitor the condition and operation of the service. He said the capital cost to cover all four services is estimated to be 2.3 million dollars on the low end, and if a contingency of 50% is added, the estimate will be about 3.5 million dollars. He noted that any annexations happening between 2025 and 2029 are not accounted for in the budget and methods to fund this infrastructure will have to be identified.

Commissioner Casey asked if CSU is doing the conduit portion or will run the network. Mr. English said they have their own fiber to run the network, but they have an agreement with King to run their own fiber, as it is not uncommon to lease fiber to other providers as a revenue source as long as they have capacity. Commissioner Casey asked if there were two sets of fiber. Mr. English said they have separate fibers for CSU and other providers.

Commissioner Ricket asked if the 1600 acres per foot for the annex locations included the rail annexation. Mr. English said it does, and it is a large percentage of it. He said there was a conversation when that was presented because depending on the use there could be a higher demand and consumption, which was estimated to be 1281-acre feet a year.

Applicant's Presentation

Noah Brehmer, Civil Engineer, Kimley-Horn and Associates, representing the applicant, said they have worked diligently with City and County Staff, and neighbors to make this project coherent, cohesive and a benefit for all. He said the adjacent zoning to the property is PDZ, and surrounding density is 5.1 to 5.2 dwelling units per acre, which aligns with their proposed density. He said this property is located in an enclave, which could bring some challenges, that is why they have been working to address all concerns for the past months. Mr. Brehmer said the project goals have influenced all their decisions, addressing all neighbors' thoughts; these goals are preservation of natural beauty, to promote sense of

community, cohesion with surrounding neighborhoods, safety of residents and honoring the property's history.

Mr. Brehmer said they had multiple informal and formal meetings with neighbors; the formal meetings took place in December 2024 and July 2025. He said they received comments regarding traffic, wildlife impact, creek preservation, viewshed, speeding and neighborhood cohesion, and addressed all those making appropriate changes to their proposal. He said there is a development plan under review by the City, in which they are proposing two-story single-family homes, detached on the exterior of the property and attached homes on the center block, with a proposed density of 5.2 dwelling units per acre. Mr. Brehmer said Quail Brush Creek development is located to the west, there are County single-family residences to the north and east, and Saint Creek and another single-family development to the south.

Mr. Brehmer said the open spaces are going to be public, and maintained by a proposed Metro District, and there are trails along the south side of the site, and on the north side are the wetlands and connectivity to the west. He said regarding environmental impacts with the storm water they are part of the program set forth by the Drainage Basin Planning Study to improve the channels and are working on a solution that will allow to keep the vegetation, the use of one-foot-wide concrete cut off walls. He said they will also have a detention pond with quality treatment and will detain the 100-year storm event.

Mr. Brehmer said there will be two access points to the west of the property, access through Wyoming Lane was explored, however, it was not feasible due to several parties ownership and current road conditions constraints. He said traffic studies were performed while school was in session and identified that 60% of the traffic travels south and 40% to the north. He said that the current proposed density will generate traffic counts that fall within the traffic thresholds and criteria. Mr. Brehmer said this project is identified in the El Paso County Master Plan as a priority annexation area, and their proposal is consistent with the City's annexation criteria, PlanCOS and El Paso County Master Plan. He said they have worked to find a balance and meet all stakeholders' goals.

Mr. Brehmer said some benefits of this project are adding single-family housing opportunities, the implementation of new parks, open spaces and trails for the public; according to Colorado Springs Utilities there is sufficient capacity for the development; the fiscal impact analysis shows a positive cumulative cash flow modeled over the next 10

years; and they have applied for inclusion into the Southeastern Colorado Water Conservancy District.

Commissioners' Questions

Commissioner Rickett asked how the traffic documents were reviewed and how this project will affect the surrounding area. Todd Frisbie, City Traffic Engineering, Public Works Department, said the infill projects are challenging, especially when they go into existing neighborhoods and local streets. He said the parameters are for a local street to not have more than 1500 vehicles per day, and how homes with a driveway impact the adjacent streets. He said they use information like existing count data and streetlight data to generate a number of trips. Mr. Frisbie said they found the expected volume to be less than the 1500 threshold, even in the most impacted streets, meeting the criteria for daily volume on local streets. He said they also discussed with the applicant the possibility of traffic calming, some of the most effective ways would be speed humps or raised crosswalks, and the applicant will be willing to implement them along the development process.

Commissioner Casey said there was a public comment about where the two roads will be extended and if they were wide enough to accommodate sidewalks. Mr. Frisbie said those roads will need to be brought up to code standards and include sidewalks.

Public Comments

Kirby Thompson, resident in the area, said his family owns 10 acres, including his wife and her family's property that was purchased by them in 1978 and continuously occupied since then. He said they are the third-generation owners of the business Britton Nursery operating on the land. He said he wanted to purchase the Miller's parcel to build a motorcycle track, and a space to play frisbee and baseball, but felt it did not make sense. Mr. Thompson said a lot of developers have shown interest in the property, but their proposals were not respectful of the neighbors, however, the current developer has been sensitive to his family lifestyle and the other neighbors and has offered to make a good transition into the existing houses. He said he and his wife own a company called Wind Walker Ventures, LLC., and he believes they are the owners of the 30-foot strip on Wyoming Lane. Mr. Thompson said they are in support of the development because they feel it is the best use of that property.

Jack Casey, resident in the area, said he is concerned about the number of houses they are proposing in the development, and their size, especially the ones closer to Sand Creek. He said he thinks any development in that area would pose a negative impact; however, he understands that not building is unrealistic, but they should keep the density to a minimum. Mr. Casey said there are some trails in the area that have a nice view and a few animals in the area, and he is concerned about them as well. He said traffic is also an issue, a lot of streets head into Dublin and it could become dangerous trying to exit from those streets, and very busy especially during school time, and he thinks traffic lights would have to be implemented. Mr. Casey said he feels this project is going to impact property values for people that wanted to have a nice view.

Shari Casey, resident in the area, said she hopes the density is kept at 5.2 and not higher because of all the traffic.

Applicant's Rebuttal

Mr. Brehmer said those comments align with the ones they received during the meetings they held and that is why they decided to lower the density to 5.2 units per acre, because going higher would represent a lot of traffic issues and the need to find alternative connections. He said they will maintain the Sand Creek corridor; therefore, they are not proposing any houses on the south of the site to maintain the view corridor, preserve the habitat and give enough buffer to residents on the other side of the creek.

Commissioner Hensler asked if there was an opportunity of a lower density than 5.2 units per acre. Mr. Brehmer said they did explore the option; however, they found that number to be a balance between neighbors' input and an economically viable project. He said there is a lot of environmental impact from the wetlands to the north and the creek to the south that does not leave much of a developable area for bigger homes.

Commissioner Hensler asked if the developers considered bridging over Sand Creek into Durango Kid Drive and if there is any available access from the south. Mr. Brehmer said bridges are expensive, but they did look into it, however, they came across the need for a 50' public right of way that was not feasible due to space.

Commissioner Hensler asked if they had any favorable comments from the neighbors and how that would impact the development. Mr. Brehmer said the neighborhood meetings

have had a good impact on the development and the neighbors' outlook, since they genuinely care about the neighborhood and have addressed as best as possible the neighbors' input from multiple meetings.

Commissioner Cecil asked if they considered R-Flex Low zoning, and if so, why they decided against it. Mr. Brehmer said they applied to R-Flex Medium because they had 30 additional proposed units that would bring them higher than the 5 to 6 dwelling units per acre that the R-Flex Low allows. He said it was in recent months that they decided to lower the proposed units per acre, and they intend to maintain that number because the local infrastructure cannot support a higher density.

Commissioner Cecil asked about one of the comments regarding the traffic study being performed when Marksheffel was under construction and caused a lot of detours, and if it impacted the traffic study. Curtis Rowe, Traffic Engineer with Kimley-Horn Associates, said they did multiple iterations of counts over the last years, including one in April of 2025, while the school was in session, and prior to the construction of Dublin. He said they evaluate historical counts as well to get an idea of the numbers when construction is complete, and they make adjustments.

Commissioner Casey said another difference between R-Flex Low and R-Flex Medium is the allowed height of 30 feet and 45 feet respectively, and the applicant is committed to two stories. Commissioner Casey asked the applicant to speak about that. Mr. Brehmer said they are proposing two-story homes, like the homes on the west, and they do not intend to change the height later in the process, as this proposal has found a good balance with the neighborhood impact.

Commissioner Casey said he is concerned that if this zone is approved and they decide not to move forward with the project, any future owner would have all possibilities with R-Flex Medium. Commissioner Casey asked the developer what the commitment and timeline for the construction is. James Houk, Land Planning with Kimley-Horn, said they have tested their development plan to make sure they want to go in that direction, and they are including these details into the agreement. He said their lots are proposed to be 6,000 square feet, compared to the 5,000 of the neighbors. Mr. Houk said he thinks within a year the horizontal work will be done and then within two years the houses.

Chair Slattery said there are concerns about the density and height and asked where the conditions of this potential annexation land use would be described. Ms. Baxter said the land use plan shows the density limited to 5.2 dwelling units per acre, and the maximum building height is associated to the zone.

Chair Slattery said the land use plan shows the maximum building height to be 45 feet and suggested a possible condition to limit the height. Mr. Brehmer said they are open to that condition because there are no plans for changing the proposed height in the future.

Commissioner Hensler asked what the easier mechanism would be, between adjusting the application to R-Flex Low or putting different conditions to this land use plan. Chair Slattery said they could put a condition of record regarding the height as the dwelling units are already established, and they cannot speak about R-Flex Low because that is not the application in front of them today. Ms. Baxter said both options could work, recommending the R-Flex Low zoning or setting a condition to limit the height to 35 feet. Caitlin Moldenhauer, City Attorney's Office, said the zone in front of the Commission is not R-Flex Low, they need to approve or deny the one being presented.

Commissioner Cecil asked if the land use plan would come back to the Planning Commission to change the density. Ms. Baxter said there is a provision in the UDC that if a decision is made by a Board or Council, it would have to follow a similar process.

Chair Slattery asked if the 15% administrative leeway would apply. Ms. Baxter said it does not apply for density, because that will be established in the land use plan and the zone.

Commissioner Rickett said he comes from an active construction community that has a density from 3.5 to 25 dwelling units per acre, and the diversity is a positive thing, and they knew about that when they moved into the community. Commissioner Rickett said he understands that this property did not exist when the neighbors bought their homes, but the land use plan has been handled well by establishing a 5.2 dwelling units per acre. Commissioner Rickett said he understands that if a zoning is granted it will stay with the property, unlike the land use plan, however, any changes would have to be presented before the Commission anyway, so he is supportive of the proposal with the restriction in the land use plan.

Motion by Commissioner Rickett, seconded by Commissioner Hensler, to recommend approval to City Council the annexation of 21.37 acres as the Miller Downs at Wyoming Lane Addition No. 1 Annexation based upon the findings that the annexation complies with the Conditions for Annexation, as set forth in City Code Section 7.5.701.

The motion passed by a vote of 9-0.

Aye: 9 - Commissioner Hensler, Commissioner Cecil, Chair Slattery, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements, Commissioner Rickett and Commissioner Gigiano.

Motion by Commissioner Rickett, seconded by Commissioner Casey, to recommend approval to City Council the Miller Downs Land Use Plan based upon the findings that the proposal complies with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514, with the following conditions of approval and technical modification which shall be addressed prior to the City Council public meeting:

- **Revise General Note 10 on the cover sheet to reflect the modification requested by SWENT.**
- **Prior to development plan approval, the applicant shall have a third-party specialist determine if this wetland area in the northwest corner of the property consists of jurisdictional wetland and what mitigation efforts will be needed for wetland impacts under Section 404 for the Clean Water Act.**
- **The labeling of the 30-foot ingress/egress right-of-way along Wyoming Lane shall be consistent with the Annexation Plat.**
- **Add the following notes to the General Notes:**
 - **Prior to Final Plat approval the ownership and annexation of the 30-foot remanent east of the Miller Downs Addition No. 1 Annexation along Wyoming Lane shall be determined as follows:**
 - **Within 30 days of recordation of Miller Downs at Wyoming Lane Addition No. 1 Annexation Plat and Annexation Agreement ownership of remanent shall be determined and both the city and county will need to be satisfied with the findings.**
 - **If the petitioner for Miller Downs at Wyoming Lane Addition No. 1 is determined to own the 30-foot remanent, a petition for annexation shall be applied for within 60 days of recordation of**

Miller Downs at Wyoming Lane Addition No. 1 Annexation Plat and Annexation Agreement, and

- **Any associated annexation with the remanent shall be completed within 1 year.**
- **The building height shall not exceed 35 feet.**

The motion passed by a vote of 9-0.

Aye: 9 - Commissioner Hensler, Commissioner Cecil, Chair Slattery, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements, Commissioner Rickett and Commissioner Gigiano.

Motion by Commissioner Rickett, seconded by Commissioner Robbins, to recommend approval to City Council the zone establishment of 21.37 acres as R-Flex Medium/SS-O/AP-O (R-Flex Medium with Streamside and Airport Overlays) zone district based upon the findings that the request complies with the criteria for zoning establishment as set forth in City Code Section 7.5.704.

The motion passed by a vote of 9-0.

Aye: 9 - Commissioner Hensler, Commissioner Cecil, Chair Slattery, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements, Commissioner Rickett and Commissioner Gigiano.