

EL PASO COUNTY PLANNING COMMISSION

July 21, 2009

MINUTES

PRESENT Steve Hicks
DURING PART OR Steve Sery
ALL OF THE MEETING Ray Schanel
Verlin Dickman
Steve Immel
David Kunstle
David Sered
Jane Dillon
Robert Plyley

COUNTY STAFF Mike Hrebenar, Development Services
PRESENT DURING Elaine Kleckner, Development Services
PART OR ALL OF Drew Gorgey, County Attorney’s Office
THE MEETING Tony Deconinck, Development Services
Kari Parsons, Development Services
Craig Dossey, Development Services
Gary Hamacher, Development Services
Rich Harvey, Department of Transportation

Mr. Sery called the regular meeting of the Planning Commission to order in the Hearing Room at the Pikes Peak Regional Development Center at 9:00 A.M. and appointed the following voting members:

Mr. Immel Mr. Dickman
Mr. Schanel Mr. Hicks
Mr. Kunstle Arrived @ 9:03 Mr. Sery

Mr. Sery introduced David Sered as a new Planning Commission member.

Mr. Sery stated per the bylaws the new associate members would need to attend three (3) planning commission meetings before they are eligible to vote but could ask a question or make a comment.

NOTE: The Comment Agenda is automatically incorporated as part of the record. The digital recording is the official record of the meeting.

1. Report Items –

- A. Ms. Elaine Kleckner reviewed the building permit activity and executive summary stating the months of June and July look weak, but there are several large projects to come. Ms. Kleckner stated Development Services Division is still recruiting for a
Project Manager I position.
- B. The Procedures Manual: Ms. Kleckner stated adjustments are being made to reflect the recently authorized administrative authority. County Attorney review is nearing completion.
- D. The Land Development Code: Ms. Kleckner stated that Version 2 revision is in progress and the Board of County Commissioners hearing was continued until July 23, 2009. The sign revision white paper is completed; the Board of County Commissioners work session is yet to be scheduled.

- E. Ms. Kleckner stated that the Groundwater Contamination Study Work Plan received positive response from the Board of County Commissioners on July 2, 2009. The next step will be for the Board to appoint the committee members.
- F. Ms. Kleckner stated the next Planning Commission Meeting is scheduled on August 18, 2009, and the August 4, 2009 Planning Commission Meeting has been cancelled. Ms. Kleckner stated the first of two Planning Commission training sessions is scheduled for today after the regular meeting.
- G. Reported on Board of County Commissioners' action on items previously heard by the Planning Commission.

Mr. Sery explained the procedures for the hearing and asked if there was anyone that would like to have a full hearing on any items on the consent calendar. Mr. Kunstle has concerns with consent item number 2c and 2d and would like to have a full hearing on these items.

2. Consent Items

A. Minutes of the Regular Meeting held July 7, 2009 continued until August 18, 2009

B. AL-09-006 DECONINCK

SPECIAL USE CSP PINE OAKS STEALTH CMRS FACILITY

Request by Q3 Consulting (applicant) on behalf of Broadmoor Village Park Properties, LLC (owner) for a special use for a stealth commercial mobile radio service (CMRS) telecommunications tower. The facility would be disguised as an architecturally similar addition above an existing office building to an elevation of approximately 30 feet. The 42.34-acre site is in the MHP (Mobile Home Park) zone district and is located at 8160 Piute Road, approximately one-half mile northwest of the intersection of Highway 115 and Pawnee Road. (Schedule No. 65303-10-001).

DEVELOPMENT SERVICES RECOMMENDATION: Approval, subject to:

CONDITIONS OF APPROVAL

1. Approval is limited to one (1) commercial stealth tower and associated antenna(s) as depicted in the applicant's letter of intent and site drawings, with a maximum antenna height enclosed in an addition to an existing building. The total height of the building and addition shall not exceed 30' above the natural ground elevation. Approval is also limited to three (3) equipment cabinets and associated generator(s).
2. The tower shall be designed to allow for co-location of other antennas.
3. Any subsequent collocation, additional equipment shelter or additional antenna on the tower site other than that shown on the site plan shall be subject to administrative review and approval by the Development Services Department.
4. The tower shall remain in compliance with Section 5.2.19 of the El Paso County Land Development Code, including Sections 5.2.19 B. (7) e, Minimum Setbacks for Roof-Mounted CMRS Facilities.
5. Following Board of County Commissioners' approval, a guarantee of financial surety shall be provided to El Paso County for the removal of the tower in case of abandonment.
6. The equipment cabinets shall be painted in a manner to blend into the surrounding landscape. The fence shall be maintained for optimum opaque screening of the equipment cabinets and generator(s).

7. Throughout the life of the use, the tower and its accessory structures shall be maintained such that no deterioration occurs which would compromise the visual integrity of the tower as originally designed and installed. If, in the sole discretion of the Board of County Commissioners, the tower has not been properly maintained, the County shall have the option of revoking this approval after a duly advertised hearing.

NOTATIONS

1. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.*
2. If the special use is discontinued or abandoned for two (2) years or longer, the special use shall be deemed abandoned and of no further force and effect.*

* The above notations are abbreviated; they have the same force and effect as the items found within their entirety in the Land Development Code.

E. VR-09-005

DOSSEY

VACATION AND REPLAT LOT 1 OF THE KAY TEE SUBDIVISION FILING 2A

Request by Burley, LLC, for approval of a vacation and replat to create two lots where one lot currently exists at 915 and 955 Valley Street. The applicant is proposing to vacate Lot 1 of the Kay Tee Subdivision Filing 2A and replat the property as Lots 1 and 2 of the Kay Tee Subdivision Filing 2B. The 4.52-acre lot is zoned CS (Commercial Service) and is located at the southeast corner of the Galley Road and Valley Street intersection, approximately 1/3 of a mile east of Powers Boulevard. (Schedule No. 54073-13-010)

DEVELOPMENT SERVICES RECOMMENDATION: Approval, subject to:

CONDITIONS OF APPROVAL

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.

Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Development Services Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.

2. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
3. The Applicant shall submit the mylar to Enumerations for addressing.
4. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
5. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.

6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Development Services Department.

NOTATIONS

1. Final plats not forwarded to the Board of County Commissioners within twelve (12) months following Planning Commission action (or an extension thereof) shall be deemed withdrawn and a new final plat shall have to be submitted in its entirety.
2. Failure to record the plat within one (1) year following the Board of County Commissioner approval will require reconsideration by the Board. Said reconsideration may involve compliance with new criteria, regulations, and updated fees.

F. CC-08-001

DOSSEY

**REZONING: RT and A-5 TO CC
FACTORY DIRECT CARPET
LOTS 11-20 BLOCK 9 CRYSTOLA**

Request by Factory Direct Carpet, Inc, for approval to rezone 1.32 acres from R-T (Residential-Topographic) and A-5 (Agricultural) to CC (Commercial Community). The property is located at the northeast corner of Highway 24 and 4th Street in Crystola and is within the Ute Pass Comprehensive Plan area. (Schedule Nos. 82323-05-005, 82323-05-006 and 82323-05-007)

DEVELOPMENT SERVICES RECOMMENDATION: Approval, subject to:

CONDITIONS OF APPROVAL

1. Due to the limited availability of services in the area, development of the parcel shall not occur and building permits shall not be issued until the land included within this request, including the right-of-way proposed for vacation, is legally combined through appropriate means into a single parcel.
2. Developer/owner shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service.
3. Developer/owner shall comply with the El Paso County Department of Health and Environment regulations, ordinances, review and permitting requirements.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

Mr. Hicks made a motion to continue Item 2a until the next Planning Commission meeting. Mr. Dickman seconded the motion, upon a voice vote it was approved by an unanimous vote of 6 to 0.

Mr. Immel made a motion to approve Consent Items 2b, 2e and 2f, Mr. Dickman seconded the motion. The vote was a unanimous vote (6-0) for approval, subject to the proposed conditions and notations, and that these items are forwarded to the Board of County Commissioners for consideration. The Resolution can be found on Page 09-037, 09-038 and 09-039, Resolutions of the El Paso County Planning Commission.

Regular Item

C. PUD-99-010

DOSSEY

**PLANNED UNIT DEVELOPMENT AMENDMENT
FALCON VISTA SUBDIVISION**

All Things Furry, LLC, is proposing to amend the approved PUD (Planned Unit Development) zoning for the Falcon Vista Subdivision (PUD-99-010) to allow an animal crematory as an accessory use and pet grooming, pet day care, and pet kenneling (indoor, overnight) as allowed uses. Specifically, the applicant is proposing to implement the uses on Lot 24 of the Falcon Vista Subdivision. The lot is comprised of 29,185 square-feet and is located north of Falcon Highway, south of Highway 24, east of Meridian Road, on the north side of Swingline Road. The lot is located within the Falcon/Peyton Comprehensive Planning Area. (Schedule No. 43073-03-021)

DEVELOPMENT SERVICES RECOMMENDATION: Approval, subject to:

CONDITIONS OF APPROVAL

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Prior to approval of a site development plan to initiate the crematorium, the proposed densities, setbacks, height limits, access locations, and lot area coverage as depicted on the site plan shall be found to be in conformance with the amended PUD development plan, as approved by the Board of County Commissioners.
3. No building permits shall be issued prior to recording the PUD development plan.
4. Development of the property shall be in accordance with this PUD development plan. Minor modifications may be made subject to the limitations contained in the El Paso County Land Development Code, as amended.
5. All owners of record must sign the PUD development plan.
6. No further building additions shall be allowed without a modification to the PUD. The square footage is limited to 3,520 square feet.
7. The additional uses as listed in the PUD development guidelines shall be developed as depicted on the Site Development Plan submitted concurrently with this application.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the

Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

D. AL-09-007

DOSSEY

**SPECIAL USE REVIEW
FALCON ANIMAL HOSPITAL CREMATORY**

A request by All Things Furry, LLC, for approval of a special use to allow an animal crematory as an accessory use at 11860 Swingline Road in Falcon. The applicant is proposing to operate an animal crematory on Lot 24 of the Falcon Vista Subdivision. The lot is comprised of 29,185 square-feet and is located north of Falcon Highway, south of Highway 24, east of Meridian Road, on the north side of Swingline Road. The lot is located within the Falcon/Peyton Comprehensive Planning Area. (Schedule No. 43073-03-021)

DEVELOPMENT SERVICES RECOMMENDATION: Approval, subject to:

CONDITIONS OF APPROVAL

1. The crematorium is limited to small animals. No noxious fumes, ashes, or odors shall be allowed to emanate from the facility.
2. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
3. Prior to approval of a site development plan to initiate the crematorium, the proposed densities, setbacks, height limits, access locations, and lot area coverage as depicted on the site plan shall be found to be in conformance with the amended PUD development plan, as approved by the Board of County Commissioners.

NOTATIONS

1. Special use approval includes conditions of approval and the accompanying site plan. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code (2008).
2. The Board of County Commissioners may consider revocation and/or suspension of the special use approval if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.
3. If the special use is discontinued or abandoned for two (2) years or longer, the special use shall be deemed abandoned and of no further force and effect.
4. Special use requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

Mr. Craig Dossey presented both projects, the Falcon Vista Subdivision PUD Amendment and the Falcon Animal Hospital Crematory special use before the Planning Commission and answered any and all questions. Mr. Dossey stated there were nine (9) adjoining property owners notified one in favor and one against.

Ms. Kari Parsons reviewed the planning review standards with the Planning Commission and answered any and all questions.

Mr. Immel asked if there are any residential units in Falcon Vista subdivision.

Mr. Dossey stated that he doesn't believe any of the lots are owner occupied, but believes there are rentals in Falcon Vista subdivision.

Mrs. Debra Greer consultant with D.D. Greer Design Studio stated that to accommodate the additional uses the owners are proposing a modification of the PUD development guidelines for Falcon Vista Subdivision and a Special Use for the purposes of adding a small animal crematory to an existing animal hospital/veterinarian's office. The property is currently in use pursuant to an existing special use as a small animal hospital and veterinary clinic. These requests propose to continue the existing special use and add the crematory special use for the comfort and benefit of pet owners. The proposed crematory incinerator is a regulated appliance which does not emit smoke, ash or odor. Mrs. Greer stated that the future outdoor play area for the kenneling activities will be relocated to the east side of the building and will have adequate buffering from the neighboring lots by virtue of the existing 6 foot wood fence on the easterly lot line and further buffered by the main building which is between the proposed crematory and Meridian Road.

Mr. John Allen with Falcon Vista Homeowners Association stated he was not in opposition to the crematory but had some concerns regarding the play area for the kenneling. Mr. Allen stated that the location of the play area and noise would affect the residents to the east.

Mr. Hicks asked if the applicant is willing to limit the hours of operation.

Mrs. Greer stated the applicant is willing to work with the Planning Commission and adjust the hours of operation.

Mr. Kunstle asked if Mrs. Greer could explain how the crematory works so as to not allow any odor in the air.

Mrs. Greer provided an air pollutant emissions notice with information on emission release, combustion equipment, fuel consumption, emission inventory information, emission control, supplement to air pollutant emission notice for incinerators, emissions calculations and a pamphlet on the animal cremation unit.

Discussion

Mr. Immel stated that he was satisfied with the presentation and would recommend approval but suggested that the home owners association establish a relationship with the veterinary clinic in the future.

Mr. Hicks made a motion for approval of Resolution No. PUD-99-010 Planned Unit Development Amendment, adding a two (2) part condition stating that the play area remain on the west side of the building and the hours of operation for the play area are from 8:00 a.m. to 5:00 p.m. Monday through Sunday, no second, motion failed.

Mr. Immel made a motion for approval of Resolution No. PUD-99-010 Planned Unit Development Amendment, the motion failed for lack of a second.

Mr. Kunstle made a motion for denial of Resolution No. PUD-99-010 Planned Unit Development Amendment, Mr. Dickman seconded the motion and upon voting a vote of 3 to 3 with Mr. Hicks, Mr. Immel and Sery in opposition. The motion failed.

Discussion

Mr. Dickman stated that his concerns were with the day care and the play area and that, there needs to be a time limit for when the play area can be used during the day. To state the "West side" is too general, something specific is needed. This project is commercial and is located next to a residential area, which makes it not compatible.

Mr. Kunstle stated that he agrees with Mr. Dickman and does not believe this is the correct location for this expansion.

Mr. Kunstle made a motion to have Resolution No. PUD-99-010 Planned Unit Development Amendment continued until August 18, 2009, to allow the applicant to revise the request based on the concerns that were brought up by the Planning Commission regarding the day care and play area. Mr. Dickman seconded the motion and upon voting it was approved by a unanimous vote 6 to 0.

Discussion

Mr. Hicks stated that he would not want to suggest how to run a kennel business, but would like to see the applicant address the number of dogs allowed in the play area and manor on how the animals would be supervised.

Mr. Kunstle made a motion to continue Items C and D until August 18, 2009 to allow the applicant to revise the request based on the concerns that were brought up by the Planning Commission regarding the day care and play area. Mr. Dickman seconded the motion and upon voting it was approved by a unanimous vote of 6 to 0.

3. PBC-06-001

DOSSEY

REZONING: I-2 TO CR WIDEFIELD SHOPPING CENTER

Request by Glen Investment Group 1-12 LLC for approval to rezone a 23.99-acre parcel from I-2 (Limited Industrial) to CR (Commercial Regional). The property is located at the southwest corner of Powers Boulevard and Fontaine Boulevard and is not included within a comprehensive planning area. (Schedule No. 55201-13-004)

DEVELOPMENT SERVICES RECOMMENDATION: Approval, subject to:

CONDITIONS OF APPROVAL

1. The El Paso County Zoning Map shall note conditional zoning for the property based on specified minimum building setbacks and landscaped buffer areas: a) a minimum of a 100-foot building setback shall be provided from the western and southern property boundaries, b) a minimum of a 50-foot landscaped berm/buffer area shall be provided from the western property boundary, c) a minimum of a 40-foot landscaped berm/buffer area and an additional 30 foot wide landscaped buffer and stormwater detention/swale area shall be provided on the southern property boundary, and d) a development agreement addressing the on and off-site traffic and drainage improvements, timing of improvements, and traffic and use limitations.
2. No use shall be implemented on site nor shall any building permits be authorized until the property is replatted in accordance with El Paso County subdivision regulations or until a development agreement is approved.
3. The applicant will make appropriate road dedications and improvements as determined by the Board of County Commissioners at the time of subdivision.
4. There shall be no direct lot access to Powers Boulevard.
5. In the event the site is replatted, a Subdivision Improvements Agreement, including the Estimate of Guaranteed Funds as approved by the El Paso County Development Services Department, shall be filed at the time of recording of the final plat.
6. The applicant and/or property owner shall be required to construct upgrades to surrounding roads and intersections to accommodate site generated traffic, including Fontaine Boulevard, and intersection improvements from Powers Boulevard to Drury Lane. A development agreement will be required to address the applicant's financial responsibilities, along with timing of design and construction of improvements (on and off-site). The development agreement will also provide overall limitations of traffic and

site uses. The development agreement will be reviewed by the Board of County Commissioners in conjunction with the rezoning request. The improvements and limitations that will be addressed in the development agreement will include the following:

- a. A warranty deed to El Paso County for an additional 15-foot of right-of-way along Fontaine Blvd. The deed will be reviewed by BOCC with the rezoning request.
 - b. Overall site grading and erosion control, detention, and water quality.
 - c. Capping the average weekday traffic at 17,077 (ADT) total as presented in the traffic report. High traffic generating businesses such as those with drive through lanes will be limited so that this total daily traffic volume is not exceeded. Updated traffic studies will be required when certain traffic thresholds are reached as determined in the development agreement.
 - d. Roadway widening of Fontaine Boulevard and overlay as required by County and CDOT.
 - e. Double left-turn lanes and a single right-turn deceleration lane at the site access location on Fontaine Boulevard.
 - f. Double east bound left-turn deceleration lanes on Fontaine Boulevard at Powers Boulevard.
 - g. An east bound, right turn acceleration lane from the site access.
 - h. A traffic signal when warranted at the site access point.
 - i. Two incoming and three outgoing lanes at the site access.
 - j. West bound left-turn lane upgrades to five intersections west of the site access location, on Fontaine Boulevard. Those intersections, as addressed in the traffic report are at Grand Valley Drive, Goldfield Drive, Fountain Mesa Road, Metropolitan Street, and Drury Lane.
 - k. Additional intersection and roadway improvements as addressed on Table 1 in the Traffic Memorandum from LSC dated October 7, 2008.
7. Collateral sufficient to ensure that the public improvements as listed in the approved Estimate of Guaranteed Funds shall be provided prior to the issuance of a site development plan or a building permit. Collateralization shall be further defined in the development agreement.
 8. A driveway access permit will be required from the El Paso County Development Services Department for any access to a county maintained roadway.
 9. Applicable fees shall be paid with any final plat.
 10. The applicant shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the following: the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
 11. Any remaining technical issues identified by the Development Services Department shall be resolved prior to scheduling for Board of County Commissioners hearing.

NOTATIONS

1. If a zoning or rezoning petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of El Paso Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
3. Several public offsite transportation improvements have been identified by the applicant's transportation engineer. Identification, phasing, and assigning responsibility of improvements will be evaluated with the development agreement.

Mr. Craig Dossey presented the Widefield Shopping Center request for zone change from I-2 to CR before the Planning Commission and answered any and all questions. Ms. Elaine Kleckner presented a summary of the planning analysis, and Mr. Gary Hamacher presented a summary of the engineering analysis. Mr. Dossey stated there were thirty-three (33) adjoining property owners notified in favor and against.

SPEAKING FOR:

Mr. Pat Skinner representing Glen Investment Group 1-12 LLC stated that the applicant requested a change in zoning from I-2 (Limited Industrial) to CR (Commercial Regional) to support the development of a commercial center. The site is located approximately one half to two miles from the nearest retail development (Mesa Ridge). Mr. Skinner stated that because of the location of the property adjacent to the major intersection of Powers Boulevard (Expressway designation) and Fontaine (Principal Urban Arterial) traffic generated by the development will be contained on those two major roadways and will not be invasive to the nearby residential street networks. The property is surrounded on two sides by extensive residential development; there is no commercial or retail development convenient to existing or proposed residential areas. Mr. Skinner stated that the total number of acres included within this request is 23.858 acres, and this will support the development and construction of approximately 101,500 square feet of retail space. Mr. Skinner stated that the scheduling of development depends upon local market conditions and anticipated that the site improvements and defined retail space would commence within 365 days of the approval of the petition. Mr. Skinner stated the proposed uses for the property are all retail commercial, service, and office in nature. Mr. Skinner stated that the time frame for marketing could be as long as two to three years.

SPEAKING AGAINST:

Ms. Lucille Redding stated that she is opposed to this project. The traffic increase and traffic noise, density, store location, vacancy rate, hours of operation, and property values are her reasons for being in opposition. Ms. Redding stated she is not against development, however, she would like to see a better use for this property.

Ms. Susan Grisnik stated that she is concerned about the placement of the proposed wall. There is an existing six (6) foot fence around her property. Adding this wall would create an alley between both properties. Ms. Grisnik stated that this would not be a safe environment for the residents. Ms. Grisnik stated that the traffic and traffic noise would increase density and reduce property values.

SPEAKING ON BEHALF OF APPLICANT

Jeff Hodsdon, with LSC, explained how the trip estimates were used to calculate the traffic flow. Mr. Hodsdon answered any and all questions.

Mr. Immel made a motion for approval of Resolution No. (PBC-06-001) rezoning for Lot 1 Sunrise Ridge Subdivision Filing 3, more particularly described on Page 09-040, Resolutions of the El Paso Planning Commission, and this matter would be forwarded to the Board of County Commissioners for consideration. Mr. Schanel seconded the motion and upon voting it was approved by a vote of 4 to 2 subject to the following conditions and notations with Mr. Dickman and Mr. Sery in opposition.

Discussion

Mr. Dickman stated he has some concerns with this application. Mr. Dickman stated in order to change the zoning in a particular district or an area, there needs to be a compelling reasons, the only reason that he heard today is that the applicant is having a hard time marketing the property as light industrial.

The decision should not be based on the current economic conditions of the particular land owner, rather than the long term effects. Mr. Dickman stated he believes the current zoning is the best use of this property.

Mr. Kunstle stated that he believes the alley and the pedestrian access are the main issues and would like to suggest more connection to neighborhood. The alley may not be beneficial to the homeowners. Neighborhood concerns need to be taken into account.

Ms. Jane Dillon stated that she believes the traffic is a concern, particularly the acceleration lane from Powers Boulevard into the shopping center.

Planning Commission Training Session 1 of 2

1. Welcome and Introductions
2. Introduction to Planning and Application Basics
Elaine Kleckner, Development Services Division Current Planning Manager
Mike Hrebenar, Development Services Division Operations Manager
3. Legal Considerations in Application Review
Andrew Gorgey, First Assistant County Attorney
Cole Emmons, Assistant County Attorney
4. Water Issues and Sufficiency Findings
Kris Beatty, Paralegal
Cole Emmons, Assistant County Attorney

There being no further business to come before the Planning Commission, the meeting was adjourned at 4:15 p.m.

Terry Lowderman, Recording Secretary

Adopted: