



## PLANNING COMMISSION

**Wednesday, November 20, 2024 at 5:00 PM**

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

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### MINUTES

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**Call to Order.** Chair Ihlenfeld called the meeting to order at 5:02 pm.

**Roll Call.** Commission members present: Lindsey Zapalac, Susan Miner, Tim Caves, Mark Bruce, Amy Hutson, Bill Fisher, Charlie Ihlenfeld. Others present: Trustee Dennis Stern, Administrator Dawn Collins, Attorney Scott Krob, GMS Engineering Consultant Mark Morton.

#### Approval of Minutes

1. Minutes from October 16, 2025 Meeting. MOTION (Caves, Bruce) to approve the minutes. Motion passed 7-0.

**Public Hearing.** Chair Ihlenfeld reviewed rules for the public hearing.

2. Application for Minor Resubdivision/Replat - Largo Terrace (201 Poco Ave, Beltran). Collins explained the request from the applicant to continue the hearing. An additional exhibit requested by staff was not prepared. Chair Ihlenfeld asked if any member of the public wanted to speak to this item. No person spoke. MOTION (Hutson, Zapalac) to continue the hearing until the January meeting (1/15/2025). Motion passed 7-0.

4. Recommendation on Resubdivision/Replat of Largo Terrace. No action.

3. Application for Master Plan Resubdivision of Lakeview Heights Units 3, 4 and Portion of Unit 2. Mr. Brooks Swenson, representing NES, introduced the team for the master plan application. Commissioner Amy Hutson stated that she owns parcels abutting this development. Mr. Swenson reviewed the request to combine and develop a portion of Lakeview Heights Unit 2, Unit 3 and 4 in proposed phases to meet the R-10,000 zoning code in the site location. The process for the master plan was reviewed including an overview of the site and original filing. Mr. Swenson referenced the Community Master Plan, fire code regulation to sprinkler, addressed traffic and drainage. He explained there are approximately 280 original lots and phase 1 proposes 47 combined lots and phase 2 approximately 33 combined lots. He reviewed the lots not owned by the applicant that may require a variance for lot size as well as the future phase considering large lot development, about 2.5 acres to utilize septic. Commissioner Zapalac inquired about the timeline of the phases. Mr. Swenson stated that a schedule will depend upon the time for preliminary plat process. Discussion was raised about meeting the open space requirement and the applicant proposed fees in lieu of land. Commissioner Hutson inquired about how phase 2 will be built without owning the lots. It was explained that it is necessary to account for all lots within the entire master plan to develop appropriate improvement of

infrastructure for the area. It was noted that the detention pond will be included in phase 1. Commissioner Miner inquired about the design of homes. Mr. Daryn Strop, Builder, stated all homes will be custom designed. Commissioner Caves asked how the applicant will grade without impacting lots that he does not own. Mr. Strop explained they will retain those, and all utilities will be stubbed at the time of improvement and that 5 ft easements will be obtained with the plat process. Attorney Krob explained the requirement of open space or fees in lieu of land. Commissioner Fisher questioned the code referenced for sprinklers. He raised concerns about there being over 25 homes and dead-end areas. The turn around areas and looping were reviewed. Commissioner Fisher stated there is a need for two separate ways in/out of the area, essentially a 750 ft dead end. He referenced code stating that if a second access cannot be provided, a four-lane roadway should be installed. Fisher requested definition of dead end and referenced NFPA code about separate access routes. GMS Consultant, Mr. Mark Morton stated the roadway improvement meets code with looped roadways, referencing the adopted Engineering Criteria Manual. Mr. Morton explained other similar County projects to confirm the code was interpreted properly and referenced Forest Lakes project with a single roadway looped. Discussion ensued among members about fire access and evacuation concerns. Chief John Vincent stated the proposed development, with sprinklers, complies and exceeds the fire code to move toward a Firewise community, and further explained the model Firewise community. Members stated they want safety for all residents in worst case scenario. Commissioner Fisher asked why the NFPA is not important and Chief Vincent responded that the NFPA code is a reference not a regulation adopted by the town. Discussion ensued about the railroad preventing ingress/egress. Discussion shifted to the detent pond and Mr. Daniel Madruga, Atwell, explained the preliminary plan for the detent pond, that details are still being worked through and will come with the preliminary plat process. Commissioner Miner asked if the pond is measurable and Mr. Madruga stated there is no measure, and calculations are run by current run-off data. Commissioner Caves inquired where water is directed and it was explained where the water will be captured, upstream, and along with curb and gutter, drainage easements will be placed on the applicant owned lots to the pond. Commissioner Zapalac expressed concern about the traffic impact to the existing Oakdale residents. Discussion ensued about improvement to the existing roadways from County Line Rd. Chair Ihlenfeld opened the hearing for public comment.

Ms. Jennifer Rausch, an Oakdale resident, stated her concerns about public safety not being at the expense of existing residents, noting there are 51 existing homes with one single access. She mentioned that sprinklering homes ignore the existing homes and asked if the town has a plan for the existing residents. Ms. Catherine McGuire stated her concern about the area being conserved and referenced the El Paso County Parks letter about the development, including trail connection and open space. The County comments requested that lot design be considered to tie into the Santa Fe trail to benefit open space and work with El Paso County for trail connection. Ms. Cyndee Henson asked about sprinklers impacting the existing resident water. She referenced the area being a wildlife corridor and asked where the detent pond water will go, should it be xeriscape, who will maintain roads, and asked if there will be an HOA. Mr. Pete Tomitsch, Oakdale resident, explained his experience with grassland wildfire, which is more likely, and stated that one egress is dangerous. He also stated he does not like the idea of construction trucks driving Oakdale for this development. Mr. John Emmon stated there are anywhere from 8 to 40 trains per day and when the train breaks down, it can be hours for repair, which he stated happens nearly once every 7-10 days. His concern is the medical emergency having inadequate response and endangering lives with the increased residents to the area. Mr. Edward R., Oakdale resident, stated that the increase in traffic will be a serious issue. Mr. Mike Beeson, Oakdale

resident, referenced the correspondence he shared with the Commission and commented about the current condition of Starview Circle, remarking that the drainage will likely undermine the new paved roadway and further degrade. He stated that traffic will increase from approximately 300 to 1200. Mr. Kip Murray verified roadway and access issues with a handout to the members and explained the erosion of the current right of way. He stated that a 5 ft easement is not enough and will need to move roadway. Ms. Cindi Leitch asked why a second access cannot be considered and challenged the applicant to address the concerns. Mr. Kurt Stevens stated that this is no-win matter, and the town will be sued by residents and the applicant. Mr. Kane Cotton stated any lot smaller than one acre is trying to pack in homes. Mr. Brian Wilson stated that, although he may be a minority, he owns a lot in the proposed plan, purchased it to build his dream home, has been paying taxes on the property for 26 years, and supports the development. Ms. Patty Brooks stated that the trains are fire danger. She stated her concern about her children often being late for school due to train and added traffic for the school. Mr. Gene Kalesti expressed concern about water tap availability. Mr. Rich Kuehster expressed his concern after experience of three evacuations, stating that one way out is unacceptable. Mr. Dan Martindale stated that he worked with El Paso County and is familiar with codes, suggesting that common sense should be applied. He stated that he moved to the community because it was safe.

Mr. Eric Sepp, applicant, addressed various comments. He stated that paving was planned with curb and gutter to County Line. He stated that all access rules meet current code. He explained there are two trail connections proposed, and easements will be placed on lots to connect to the Santa Fe trail, intending to work with El Paso County Parks. Discussion ensued about easements on property for drainage. Mr. Sepp reviewed various concepts that will comply with the code. Chair Ihlenfeld closed the hearing and asked for a brief recess.

### **Business Items**

At 7:29 pm, Chair Ihlenfeld reconvened the meeting.

#### **5. Recommendation on Lakeview Heights Master Plan Submittal.**

Commissioner Caves inquired about water. Mr. Chris Cummins addressed the water service area and possible taps, stating that taps are on a first come, first serve basis with building. Mr. Mark Morton, GMS, stated that the improvements for the water system include additional supply, expanding the capacity. Commissioner Fisher stated that any recommendation to the Board should include preserving the natural environment, adding trails and open space to comply with the Community Master Plan. He asked how the master plan submittal meets the Community Master Plan. Discussion ensued about trail access and Chair Ihlenfeld stated generally residents walk to trails. Mr. Sepp stated his plan does grant vehicular access to the Santa Fe trail. Commissioner Caves suggested a paved pedestrian sidewalk on one side near the Lake and Starview connection. It was also suggested to consider an HOA for the applicant-owned lots to reduce on street parking. Mr. Sepp explained the lots are an average of 11,000 SF and allow additional parking aprons within the area. Commission members suggested that town staff address limiting parking on roadways. Attorney Krob explained the options for action – 1) approve as submitted; 2) deny the application; 3) approve the application with conditions; 4) continue the hearing for more information. It was agreed that members did not want to continue the hearing. Administrator Collins referred members to the recommendations noted on page 37 in the packet. Commissioner Miner moved through the recommendations for agreement from the members. Discussion took place about evidence of ownership and notification to other property owners of the cost recovery, required 5 ft easement, and the sprinkler requirement. Recommendations to include as

conditions for the applicant include items 1, 2, 3, 4 with a meandering trail through the applicant owned lots to connect to the Santa Fe trail and deduct the portion of land dedicated for trail and remaining be a fee in lieu of land; items 5, 6, 7, 8, 9, 10; and added 11 addressing EL Paso County Parks and Community Services comments; added 12 addressing School District 38 comments; added 13 for vehicular access easement to the trail; added 14 to consider a paved sidewalk on one side and lighting at the Lake connection to Starview; added 15 to update all exhibits for accurate paving; added 16 to address no on street parking for applicant owned lots; added 17 to address how this plan fits with the Community Master Plan; added 18 addressing a fire protection report and wildland fire plan for the proposal. Commissioner Fisher noted that two points of access is most important and cannot support this with one. Commissioner Hutson recused herself from the vote. MOTION (Ihlenfeld, Miner) to recommend approval of the master plan resubdivision with the list of 18 conditions to the Board of Trustees. Roll call vote – aye 3; nay 3 (Zapalac, Caves, Fisher); abstain 1 (Hutson). Motion fails due to tie vote 3-3. MOTION amended (Ihlenfeld, Miner) to add that the applicant show evidence to the Board why/how a second access is not possible. Roll call vote – aye 5; nay 1 (Fisher); abstain 1 (Hutson). Motion passed 5-1. This item will be brought to the Board of Trustees on December 12.

6. Distribute Article 2 Final Version. Collins noted the draft Article 2 for review and reference for the 12/2 workshop to review and provide comments for CMI.

**Public Comment.** None.

**Next Meeting and Future Items.** Workshop is scheduled on 12/2 to review preliminary pedestrian walkway design by GMS and review of Article 2 drafted by CMI. A special meeting date of 12/4 will be held for any action on revised code (PD, Articles). Discussion about a date for a potluck dinner took place. Susan Miner will consider her home and extend an invitation.

**Adjourn.** MOTION (Miner, Hutson) to adjourn at 9:16 pm. Motion passed.

*Minutes by: Dawn A. Collins, Town Clerk*