

NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on Wednesday, January 17, 2024, at 5 PM at the Town Hall, 28 Valley Crescent, Palmer Lake, to consider an application to annex and zone Parcels 7104000001, 7104000002, 7104001010 and 7103000028 to RE Estate zone district from El Paso County and rezone parcels 7105424044, 7104200012, 7104237002 to RE Estate zone district, Palmer Lake. A recommendation will be made to the Board of Trustees on the same matter scheduled for Thursday, January 25, 2024, beginning at 6 PM. A copy of the complete application is on file at the Town Clerk office at 719-481-2953. /s/ Dawn A. Collins, Town Clerk



42 Valley Crescent  
PO Box 208  
Palmer Lake, CO 80133  
719-481-2953 - Office

Office Use Only	
Date:	<u>10/24/2023</u>
Fees:	<u>Rezoning-\$500 &amp; Annexation \$1000</u>
Check #:	<u>1312 Pd. 10/23</u>
Rec'd By:	<u>MAC</u>
<i>*Minimum submittal of 30 days</i>	

## Rezoning Application Form

Name of Applicant: United Congregational Church

Applicant's Address: 3275 County Line Road Phone #: 709-332-2607

Applicant's Email: ptggmountain@gmail.com

Name of Proposal: Ben Lamond Mountain Village

Tax Schedule #: 7105424044, 71044237002, 7104200012, 7104000002, 7104000001, 7104001010, 7103000028

*Rezoning of existing or annexation of property – A request for a change in the existing designated zoning or property annexation. This request must be accompanied by those items outlined in the Palmer Lake Zoning requirements (section 17.12.030).*

Nearest Street Intersection: PALMER DIVIDE RD. & S. SPRUCE MOUNTAIN Existing Subdivision: NA

Current Zoning and Uses of Surrounding Property:

N:	<u>OS/A1</u>	<u>OPEN SPACE</u>
E:	<u>RR-5</u>	<u>RESIDENTIAL</u>
S:	<u>RR-2.5/RR-5</u>	<u>RESIDENTIAL</u>
W:	<u>RA</u>	<u>VACANT GENERAL</u>

*Robert King for U.C.C.*      October 17, 2023  
 Signature of Owner      Date



Civ.I Engineering  
 Surveying & Geospatial Services  
 Water Resources Management  
 GIS Services  
 Construction Management

October 17, 2023

**RE: Letter of Intent - Ben Lomand Mountain Village Rezone**

Owner/Applicant:

United Congregational Church  
 Attn: Roger Sung, Pastor/ President  
 3195 County Line Road  
 Monument, CO 80132  
 (719) 332-2607  
[ptggmountain@gmail.com](mailto:ptggmountain@gmail.com)

Consultant:

Manhard Consulting  
 Attn: Dan Madison, PE  
 7600 E. Orchard Road, Suite 150-N  
 Greenwood Village, CO 80111  
 (303) 880-1908  
[Dmadison@manhard.com](mailto:Dmadison@manhard.com)

Site Location, Size and Zoning:

Ben Lomand Mountain Village (the "Property") consists of approximately ±344.5 acres of land located within El Paso County, Colorado, in portions of Sections 3, 4 & 5, Township 11 South, Range 67 West of the 6th P.M. A legal description of the Property is included with this application. The westerly ±163-acre portion of the Property currently lies within the Town of Palmer Lake. An annexation application is being submitted concurrently to the Town of Palmer Lake (the "Town") to annex the ±181.5 acre portion of the property lying easterly and outside of the Town boundary. After completion of the annexation process, all portions of the property will lie within the Palmer Lake Town Limits (the "Town"). The intent of this rezoning application, after successful annexation, is to rezone the entire ±344.5 acre Property to RE Estate Zone in accordance with the Palmer Lake Code of Ordinances, Chapter 17.20.

The Property lies south of County Line Road, also known as Palmer Divide Road, west of Indi Drive, north of the Lakeview Heights subdivision, and east of Oakdale Drive. The Property is comprised of seven El Paso County tax ID parcels varying in size and zoning. Three parcels are located within the Town and four parcels are located within the County. The existing zoning of the parcels include RR-5 (County), RA (Town), and R10,000 (Town) as summarized in the table below.

Parcel Summary Table			
Parcel ID	Area (acres)	Jurisdiction	Existing Zoning
7105424044	14.3	Town of Palmer Lake	RA
7104200012	147.9	Town of Palmer Lake	RA
7104237002	0.9	Town of Palmer Lake	R10,000
7104000002	38.2	Unincorporated El Paso County	RR-5
7104000001	50.1	Unincorporated El Paso County	RR-5
7104001010	46.6	Unincorporated El Paso County	RR-5
7103000028	46.6	Unincorporated El Paso County	RR-5

This application proposes to rezone the seven parcels from their respective existing zoning district classifications to RE Estate Zone in accordance with the Palmer Lake Code of Ordinances, Chapter 17.20. As stated in the Palmer Lake Code of Ordinances, RE Estate Zone allows for Single-Family dwellings and accessory as permitted uses on a minimum lot size of 2.5 acres. Conditional uses such as educational, foster homes, churches and synagogues, parks, private stables, day care, and group homes constitutes the zone district. Existing Religious Institution and Open Space located on the property will be continued uses on the subject Property.

**Justification:**

1. The proposed annexation and rezoning are in accordance with the vision of the Town of Palmer Lake Community Master Plan along with being located within the Three Mile Plan. In the Future Land Use section of the Master Plan, the Property is shown within the environmental constrained residential area as well as large lot residential which is similar to the surrounding neighborhoods on the east side of the project. Rezoning the Property to RE Estate Lots for the proposed development will achieve a similar concept to the adjacent eastside neighborhoods as well as the vision of the Towns Master Plan.
2. The proposed RE Estate zoning designation will be complimentary to the existing zoning designations of the adjacent developments. As shown on County Zone Map 712, a portion of the Colorado Estates Subdivision, southeast of the Property, is also zoned RR-2.5. Along the eastern perimeter of the Property, the Colorado Estates Subdivision is zoned RR-5. The Lakeview Heights development to the south of the property has a higher density and is zoned R-10,000 (Intermediate Density Residential Zone) in accordance with the Town's Zoning Code. To the west, the neighboring property owned by the Town is zoned M1, General Industrial.
3. The application meets the Criteria for Approval for Map Amendment (Rezoning) the Palmer Lake Code of Ordinances, Chapter 17.20. The requested rezoning conforms with the Criteria for Approval as follows:
  - The application is in general conformance and spirit of the Palmer Lake Master Plan which is to maintain the small-town look and feel of Palmer Lake.
  - The Rezoning is in compliance with all applicable statutory provisions, including C.R.S. §30-28-111, §30-28-113, and §30-28-116.
  - The proposed zone district is compatible with the existing and permitted land uses and zone districts in all directions.
  - The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 12 of the Code of Ordinances for the RE Estate zone district.

**Existing and Proposed facilities:**

**Existing Conditions:** The ±344.5-acre Property consists largely of vacant undeveloped land. In the eastern portion of the Property, within El Paso County Parcel No. 7104001010, there are multiple structures used for religious purposes, including one residential modular building used for religious workshop, one residential mobile home, and two exempt religious worship structures constructed in 1985. East of Parcel No. 7104001010, within El Paso County tax ID Parcel No. 713000028, there are two primary exempt religious worship buildings including the youth center, a storage structure, a parking area and tennis court associated with the youth center. At the time of this application, all of these existing structures and uses are proposed to remain.

The southwestern portion of the Property is undeveloped land which includes Ben Lomand Mountain consisting of steep topography, heavy forest, and rock ledges and outcroppings. From the southern property line, the mountain slopes upward from south to north to a sharp ridgeline. The ridgeline runs in the east-west direction and has a dirt, fire access road graded along the top of ridge. From this ridge

line, Ben Lomand Mountain falls sharply to the north to a grass valley floor located in the northern half of the property. A large portion of Ben Lomand Mountain is envisioned to remain in its natural state with the future development.

**Proposed Conditions:** The future development, which will be submitted under separate application, is envisioned to include single-family residential lots with a minimum lot size of 2.5 acres. The majority of the future lots will be located in the northern and eastern portions of the Property. The lots will be developed in accordance with the requirements of the RE Estate zone district as stated in Chapters 17.20.30 and 17.20.40 which dictates the building setbacks and heights. Each future lot will contain one single-family residential structure and any associated accessory structure and/or use will adhere to the RE Estate zone district requirements. As mentioned, at the time of this application, all existing structures and uses including the existing church and youth center are proposed to remain.

**Roadways:** The Property will be accessed from two points of access from County Line Road / Palmer Divide Road with an easterly and a westerly access to the Property. The existing fire access roads are proposed to remain for access to the forest and Ben Lomand Mountain. Each proposed lot will be accessed by a private roadway to be designed under separate application. The roadways will be maintained by the future Homeowners Association (HOA) which will be established to govern the Ben Lomand Mountain Village community.

**Utilities:** The future development on the property is proposed to be served by individual well and septic systems due to the lack of existing municipal/District central water supply facilities in the area. Fire protection services will be provided by Tri-Lakes Monument Fire Protection District. Electric service will be provided by Intermountain Rural Electric via their existing facilities along County Line Road. Natural gas service will be provided by Black Hills Energy via their existing infrastructure along County Line Road. Telecommunication services will be provided as contracted between the owner and the selected communications service provider.

**Open Space:** A large portion of Ben Lomand Mountain is envisioned to remain in its natural state. The future development on the property will maintain a large portion of significant open space consisting of the southwestern portion of the Property which includes Ben Lomand Mountain consisting of steep topography, heavy forest, and rock ledges and outcroppings.

**Waiver Requests:** No waiver requests are applicable at the time of this application.

If you have any questions, please feel free to contact me either via telephone at (303) 531-3217 or via email, [dmadison@manhard.com](mailto:dmadison@manhard.com).

Thank you,

MANHARD CONSULTING



Dan Madison, P.E.  
Operations Manager

## CHAPTER 17.20. - RE ESTATE ZONE

### 17.20.010. - Permitted uses.

Permitted uses in an RE Estate Zone are as follows: Single-family dwelling and accessory uses.

(Code 1973, § 17.18.010; Ord. No. 5-1985, § 2, 1985; Ord. No. 5-1999, § 2, 1999)

### 17.20.020. - Conditional uses.

The following conditional uses may be permitted as specified:

- (1) Education institutions, provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood.
- (2) Foster homes, subject to the home being licensed by the state and subject to receipt by the town of notification in writing by the licensing authority that the occupant of the home is licensed and for how many children.
- (3) Churches and synagogues restricted as educational institutions.
- (4) Town, county and neighborhood parks.
- (5) Private stables and kennels, provided that the lot size is five acres or more.
- (6) Day care homes.
- (7) Group homes for the aged. Owner occupied or nonprofit group homes for the exclusive use of not more than eight persons 60 years of age or older per home. The board of trustees shall consider the following criteria in determining whether a conditional use should be granted:
  - a. The size of the house and available yard space of the applicant;
  - b. Satisfactory evidence of the applicant's good character;
  - c. The character of the neighborhood surrounding the proposed group home for the aged, and in the density of the neighborhood;
  - d. The compliance of the group home with state, county and municipal health, safety and fire codes;
  - e. The number of persons 60 years of age or older who would be housed in the group home, which number shall not exceed eight;
  - f. That the proposed use is not for persons 60 years of age or older who need skilled or intermediate facilities;
  - g. That no other group home for the aged is located within 750 feet of the applicant;

h. The wishes and desires of nearby property owners.

(Code 1973, § 17.18.020; Ord. No. 5-1985, § 2, 1985; Ord. No. 1-1987, § 2, 1987; Ord. No. 3-1989, § 2, 1989; Ord. No. 7-1990, § 5, 1990; Ord. No. 5-1999, § 8, 1999)

17.20.030. - Lot sizes and dimensions.

The sizes and dimensions for a lot in an RE Estate Zone are as follows:

- (1) Minimum lot size: 2.5 acres.
- (2) Minimum lot width: 150 feet street frontage.
- (3) Minimum front yard setback from property line: 25 feet.
- (4) Minimum side yard setback from property line: ten feet.
- (5) Minimum rear yard setback from property line: 25 feet.

(Code 1973, § 17.18.030; Ord. No. 5-1985, § 3, 1985)

17.20.040. - Structure height and area.

The structure height and area requirements for an RE Estate Zone are as follows:

- (1) Maximum building height: 30 feet.
- (2) Maximum area covered by structure: 35 percent of lot.

(Code 1973, § 17.18.040; Ord. No. 5-1985, § 4, 1985)

17.20.050. - Required off-street parking.

For required off-street parking, see chapter 17.84.

(Code 1973, § 17.18.050; Ord. No. 5-1985, § 5, 1985)

17.20.060. - Signs.

Signs in the RE Estate Zone are permitted, provided they comply with chapter 17.76.

(Code 1973, § 17.18.060; Ord. No. 5-1985, § 6, 1985; Ord. No. 18-2000, § 4, 2000)

17.20.070. - Sewerage.

Septic tanks may be permitted if all of the following conditions are met:

- (1) Inability to tap existing sewer lines.
- (2) Ability to meet current county sewage disposal regulations.
- (3) Compliance with the provisions of chapter 16.48.