TELLER COUNTY PLANNING COMMISSION

Regular Meeting: Tuesday February 9, 2010

Agenda Item III

Consideration of a request from the Woodland Park Saddle Club Support Organization (Applicant) and P.C. Kuyper and J.R. Maytag (Landowners) to amend the *Growth Area Map*, the *Divide Region Map* and the *Divide Town Map* in *Appendix B* of the *Teller County Land Use Regulations* affecting ±60.3 acres of land zoned Agricultural (A-1) located in part of the NE1/4 of S12-T13S-R70W 6th PM, Teller County, CO (24277 Highway 67).

STAFF REPORT

File No. LUR-00037(09)

APPLICANT: Woodland Park Saddle Club Support Organization

REPRESENTATIVE: Ms. Kyle Fenner, Contract Executive Director

REQUEST: A request to amend the Growth Area Map (p.1), the Divide Region Map (p.3) and the Divide Town Map (p.4) of *Appendix B* of the *Teller County Land Use Regulations* to: (i) move the growth area boundary south to include ±18.0 acres of the "Maytag" parcel; (ii) change the "Maytag" parcel from "Rural Lands" to "Town Center Commercial"; (iii) change "Town Residential - New" to "Town Centre Commercial" within the "Rice" parcel south; and (iv) move the commercial/residential area boundary on the "Rice" parcel north ±260 feet to the east. [see **Appendix A** for location map and air photo of the site]

STAFF: Lor Pellegrino, A.I.C.P., Senior Long Range Planner

LEGAL DESCRIPTION: the "Rice" parcel and the "Maytag" tract, both located in a part of the NE/14 of S12-T13S-R70W 6th PM, Teller County, CO (±60.3 acres)
[see **Application: Land Survey Plat** for full legal description]

ZONE DISTRICT: Agricultural (A-1)
[see **Appendix B** for Zoning Map of the area]

Publication Date: January 27, 2010
Adjoining Notice: January 5, 2010
Posted Notice: January 9, 2010
Staff Report Date: January 20, 2010

STAFF RECOMMENDATION: Approval with Conditions

1. SUMMARY OF REQUEST

The Applicant is requesting a Map Amendment to three regulatory maps in *Appendix B* of the Teller County Land Use Regulations (LUR) related to the Divide growth area all in an effort to facilitate the development of a multi-use equestrian event center in the heart of Divide.

The map amendment proposes to add 18 acres to the Divide Town Center (the "Maytag" parcel), to substitute commercial for the residential and rural lands areas of the event center site (the "Rice" parcel south plus the "Maytag" parcel) so that the entire event center site will be within a commercial area, and to increase the residential/decrease the commercial areas on the "Rice" parcel north[1].

The entire site subject to this application, and currently under contract by the Applicant, is owned by P.C. Kuyper (the "Rice" north parcel and the "Rice" south parcel encompassing ±42.31 acres) and J.R. Maytag (the "Maytag" parcel encompassing ±18.0 acres). The site for the event facility use will encompass the "Rice" south parcel and the "Maytag" parcel for a total of ±39.36 acres of land while the proposed residential/commercial uses will occur on the ±20.95 acre "Rice" parcel north. The proposed event facility uses include a 40-stall RV/Horse Trailer camping area, an outdoor arena with seating, and a small multi-use building all on approximately 39 acres of land as the first stage of development. The proposed residential uses include 50 multi-family apartments, 24 duplex homes and 14 patio homes on approximately 14 acres of land while the commercial uses will involve 75,000 square feet of combined retail and restaurant uses on approximately 7 acres of land.

If this LUR Map Amendment is approved, it will be the first in a series of necessary development applications including, but are not limited to, rezoning and at least two subdivision applications to bring the final lot configuration into two lots (one for the event center and the other for the residential/commercial uses) proposed by the Applicant.

Background. The Woodland Park Saddle Club is a 501(c)(3) non-profit organization serving a 150+ membership focused on preserving western heritage and providing opportunities for many diverse local community and state- or nation-wide events. It has existed as a community gathering place and social club for Teller County since 1947. Originally operated out of downtown Woodland Park on roughly 14 acres of land, then from the 23-acre parcel sandwiched between Safeway and Wal-mart (but still in the City of Woodland Park), the Club now seeks to expand to a more flexible and larger site from which to offer an expanding list of community activities ranging from typical equestrian fare such as rodeo and gymkhanas events to its more social and educational functions such as dances, parties, clinics, and auctions. More information on the Saddle Club is available on their website at www.wpsaddleclub.com.

Site Description. The site topography is predominantly gently sloping land draining from the east to the west with the site's highest elevation at 9,224 feet (the proposed location of the warm-up pens). The dominant grasslands are broken up by a central forested area consisting of mature Douglas Fir and Ponderosa Pine trees. A handful of swales draining surface water from the east to the west traverse the site. There are no identified riparian areas, active streams or ponds, no wetlands or floodplains, nor any known areas of geologic hazard or unusual geologic features (although it does contain a few sporadic rock outcrops). The soils appear to be suitable for building. The area has moderate to low potential for impact on wildlife and wildlife habitat.

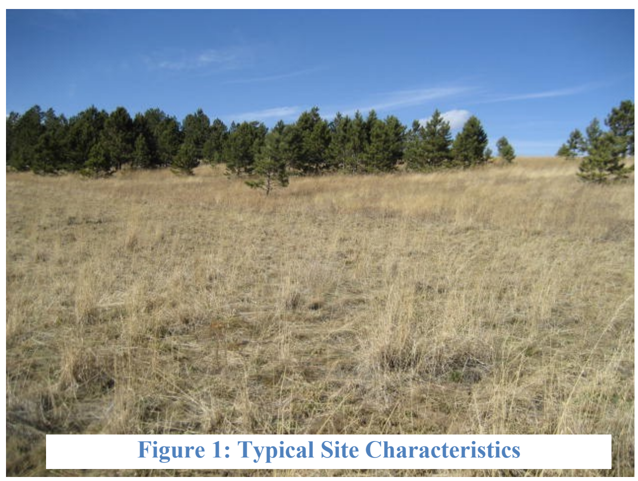


Figure 1: Typical Site Characteristics

[1] All references to the "Rice" parcel north, "Rice" parcel south, or "Maytag" parcel are based on the depictions shown on the Land Survey Plat by Rampart Surveys, Inc (Job No. 08233 dated August 19, 2009) submitted with the Application. It is important to note that these depictions are for convenience only and that they do not represent currently existing separate legal lots. Both "Rice" parcels together exist as one legal lot while the "Maytag" parcel is an 18-acrea portion of a 350-acre unplatted piece of land.

Existing Structures and Improvements. The site is mostly vacant land except for the following structures and improvements:

"Maytag" parcel	- a 4-strand metal post & barbed wire rangeland fence on the east boundary (along State Highway 67) - Overhead electric power line on the east boundary (along State Highway 67)
"Rice" parcel south	- a 4-strand metal post & barbed wire rangeland fence on the east boundary (along State Highway 67) and the south boundary of the lot - Overhead electric power line on the east boundary (along State Highway 67)
"Rice" parcel north	- a 4-strand metal post & barbed wire rangeland fence on the east boundary (along State Highway 67), north boundary (along State Highway 24) and the west boundary - Overhead electric power line on the east boundary (along State Highway 67) and along the dirt driveway - An existing and currently occupied single-family residence and a garage, both accessed by a dirt driveway from State Highway 67 - A telecommunications facility (currently under construction) consisting of a 75' high stealth monopine and a 14'x28'x15' high unmanned equipment building all on two rectangular lease areas totaling roughly 1,255 square feet located approximately 95 feet south of the State Highway 24 and north of the existing house accessed via an easement from State Highway 67. - Colorado Springs Utilities water pipeline within a 100'-wide easement

Zoning. The site is currently zoned and abuts Agricultural (A-1) properties to the south, east and west. To the north, the zoning varies from Commercial One (C-1) and Rural Residential (RR). A-1 zoning is devoted to farming, forestry, ranching, and other agricultural uses. It should be noted that any proposed use more intensive than the uses permitted in the A-1 zone (i.e. to allow for the commercial and higher density residential uses already designated on the Divide Regional Plan for the "Rice" parcels) would require approval of a rezoning application. [see **Appendix B** for site and surrounding zoning]

LUR Maps. The most common LUR map is the Teller County Zone District Map and amendments to this map occur through a successful rezoning application. The maps proposed to be amended with this application are those maps contained in *Appendix B* of the LUR that relate to the Divide growth area [see **Appendix C** for a copy of the three regulatory maps under consideration for amendment]. These three maps are based on the goals and policies of the Divide Regional Plan and were originally adopted into the LUR in 1998. Amendments to these LUR maps, like a rezoning application, require consideration and recommendation by the Planning Commission and subsequent consideration by the Board of County Commissioners.

Divide Regional Plan (DRP). The DRP, originally approved by the Teller County Planning Commission in 1991 and then updated, amended and restated in 2006, exists as Divide's sub-area plan within the Teller County Growth Management Plan. The DRP is advisory only. It serves to guide and assist with the consideration and evaluation of future land uses and development applications but does not regulate them in any way. A copy of the most current DRP is provided with this staff report for your reference and convenience. As mentioned above, the Divide Region Map (Map 1 of the DRP) and the Divide Town Map (Map 2 of the DRP) were adopted into the LUR in 1998 and function as regulatory maps.

While both properties fall within the boundary of the Divide Planning Region, the "Rice" parcels lay within the *Divide Town Center* and "Maytag" parcel falls within the *Limited Growth Area*. The "Maytag" parcel is designated *Rural Lands* while the "Rice" parcels are designated *Town Center Commercial* (the east portions of both parcels) and *Town Residential – New* (the west portion). The table below shows the current size of the commercial and residential areas within the site as well as the what these sizes would be should this LUR Map Amendment application be approved:

Growth Area Designation	Current Area (approximate)	Proposed Area (approximate)
Town Center Commercial	25 acres	46 acres
Town Residential - New	17 acres	14 acres
TOTAL SITE AREA	**42 acres**	**60 acres**

The table shows that if this application is approved, the total commercial area within the Town Center will increase by approximately 21 acres while the residential area will decrease by approximately 3 acres.
The goals and policies of the entire DRP, plus the criteria for amending the Divide Town Center (Addendum A), were used in the evaluation and assessment of this application [see **Appendix D** for a complete analysis of the DRP].

Infrastructure. The Applicant has submitted "will-serve" letters from Divide Water Providers for central water service and from the Teller County Wastewater Utility for central sewer. Overhead electric power lines run parallel with State Highway 67 and electric service is available from Intermountain Rural Electric Association. Detention ponds, drainage, erosion control and other site needs have been contemplated in this application and are and will be more appropriately addressed in greater detail with subsequent necessary development applications.

Access. Currently, the only access to the site is through the dirt road driveway that accesses the existing residence on the "Rice" parcel north. The Applicant has submitted a Traffic Impact Analysis that identifies the potential improvements that will be necessary to sustain an event center and the residential/commercial uses proposed. All road and traffic impacts will be to State Highways 67 and 24 and are within the jurisdiction of the Colorado Department of Transportation. Among other items, the TIA recommends the construction of two full-movement accesses along Highway 67 and additional turn/deceleration lanes from Highway 24 all the way to the southern-most access point. While within the sole jurisdiction of CDOT, Teller County Department of Transportation and the Teller County Engineer have reviewed the TIA and have no concerns at this time.

2. SUBMITTAL REQUIREMENTS

[See **Appendix E** of this Staff Report]

3. REVIEW AGENCY RESPONSES

REVIEW AGENCY	COMMENTS
Teller County Attorney	Comments of the Teller County Attorney are reflected in the Staff Report.
Teller County Parks	Recommends concerns appropriately addressed with subsequent development

	applications - see **Appendix F**; Letter from Fred Clifford, Teller County Public Works Director dated January 21, 2010.
Teller County Engineer	Recommends concerns appropriately addressed with subsequent development applications - See **Appendix F**; Letter from John Reese, Teller County Engineer dated October 30, 2009.
Divide Fire Department	Referral sent; no response received.
Divide Planning Committee	Recommends denial due to non-conformance with Divide Regional Plan - see **Appendix F**; Letter from William Blackburn, Chairman, Divide Planning Committee dated January 19, 2010.
Mueller State Park	Referral sent; no response received.

4. <u>DISCUSSION OF MAJOR CONCERNS AND ISSUES</u>

Divide Planning Committee Response. The Divide Planning Committee is a reviewing agency for all development applications proposed within the Divide region. In their response to this LUR Map Amendment, the Committee has recommended denial based what they perceive to be an absence of "demonstrable community need or benefit" (DRP: Policy D1) and non-conformance with Policy D3 (encourage compact, environmentally positive, and aesthetically pleasing development), Policy C3.07 (discourage business encroachment/external effects on residential or adjacent land uses), Policy C5-1 (encourage Rural Lands to stay as they are), and Policy C5-2 (restrict noise, visual blight, or noxious odors) [see **Appendix F**].

With respect to Policy D1, it is important to note that it recommends a 75% buildout threshold **<u>OR</u>** demonstrable community need and benefit prior to expansion of the Divide Town Center. The Town Center (1,625 acres) is currently 47% developed (755 acres) with 237 of the total 250 parcels platted. At only two-thirds developed, the threshold does not yet apply. Instead, the Applicant has opted to show a "demonstrable community need and benefit" through the submission of letters of support from surrounding businesses, the Divide Chamber of Commerce and surrounding landowners. Currently, Staff believes that there is a community need and benefit for this LUR Map Amendment based on these letters supporting the proposed event center and residential/commercial development. Further, staff believes that the map amendments as proposed are logical and contiguous, based on the site's location, characteristics, and the availability of services, and would continue to maintain a compact and unified Divide core. Further, staff believes that the LUR Map Amendment (the Town Center expansion and additional commercial area) in the southeast quadrant of the Town Center better balances the heavy concentration of commercial areas in the northeast quadrant of the Town Center.

Regarding the other policies, external effects and impacts have been identified and considered by the Applicant - the greatest being the traffic impacts necessitating improvements to State Highways. The Applicant has submitted a Traffic Impact Analysis with this application and has been working with the Colorado Department of Transportation to address their concerns. If this LUR Amendment is approved, further details regarding potential external effects, including environmental and aesthetically pleasing architectural standards, will be addressed through the necessary subsequent development applications. Regarding Policy C5-1, encouraging Rural Lands to stay as they are, staff believes that as a guide the DRP must be inherently flexible. Staff believes that the Applicant has satisfied the Addendum A criteria for a change to the Town Center boundary, effectively negating Policy C5-1.

Public Comments. Notices of this Planning Commission meeting were sent to all adjacent property owners (including those on the other side of State Highways 24 and 67 and those residential lots in Sherwood

Forest abutting Maytag's property), a legal notice was published in the Pikes Peak Courier View and two posters visible to the public were placed on the property. As of the writing of this Staff Report, one (1) written response by an abutting landowner, Maurice and Lois Woods, was received by Planning staff. The Woods own the 0.9-acre lot tucked into the southwest corner of the intersection of Highways 67 and 24 [see **Appendix G**].

5. <u>STAFF FINDINGS</u>

The purpose of *Section 2.11* is to provide a means for changing the boundaries of the Official Zone District Map ("rezoning"), and for changing the text of these Land Use Regulations. It is not intended to relieve particular hardships, or to confer special privileges or rights on any person, individual, firm, corporation, partnership, or other entity, but only to make necessary adjustments in light of (1) changed conditions, and (2) the purposes, goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s). (*Section 2.11.A*)

The wisdom of amending the text of these Land Use Regulations or the Official Zone District Map or any other map incorporated in these Regulations is a matter committed to the legislative discretion of the Board of County Commissioners and is not controlled by any one factor. In determining whether to adopt, adopt with modifications, or disapprove the proposed amendment, the Planning Commission and Board of County Commissioners shall consider the following: (*Section 2.11.E*)

CRITERIA	STAFF FINDINGS
Section 2.11.E.1 Text Amendment	
a. **<u>Consistent with Master Plan</u>**. Whether the proposed amendment is consistent with the purposes, goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s).	**This standard is met.** The proposed map amendment is consistent with the purposes, goals, objectives and policies of the Teller County Growth Management Plan and more relevantly, the Divide Regional Plan. (See **Appendix D** of this staff report)
b. **<u>Changed Conditions</u>**. Whether the proposed amendment is necessitated by a change in economic, population, technological or other conditions requiring amendment to these Regulations or modification of zone district standards, and whether it is in the interest of the public health, safety, and welfare to amend the Land Use Regulations and/or encourage a new use or density in the area. **(1)** **<u>Planned Unit Development</u>**. Changed conditions are not a prerequisite for adoption of a rezoning to PUD.	**This standard is met.** The proposed map amendment is necessitated by a change in economic conditions prompted by the Applicant's need for a lot of a large size within a growth area. Since 60 acre tracts of undeveloped land within growth areas are limited in number, it is necessary to create an optimal site that would balance the County's need and desire to contain the uses within a growth area with the needs and desires of the Applicant's proposal. It is in the interest of the public health, safety, and welfare of the citizens of Teller County and the Divide region to amend the LUR maps. It may also be noted that changed conditions are not a prerequisite for adoption of a rezoning to PUD, which is the optimal zone this proposal given the diverse uses proposed.
c. **<u>Effect on Natural Environment</u>**. Whether the proposed amendment would result in adverse impacts to the natural environment, including water, air, noise, stormwater management,	**This standard is met.** The proposed map amendment would not result in adverse impacts to the natural environment that cannot be substantially mitigated through the processing of subsequent development

CRITERIA		STAFF FINDINGS
	wildlife habitat, vegetation, and wetlands, that can not be substantially mitigated.	applications.
d.	**Community Need**. Whether the proposed amendment addresses a demonstrated community need.	**This standard is met.** The proposed map amendment addresses a community need and benefit, as demonstrated by the letters of support from surrounding businesses, and the opportunity provided by the ability to host community, regional, state and national events.
Section 2.11.E.2 Rezoning/Map Amendment additional criteria		
a.	**Compatible with Surrounding Uses**. Whether the proposed rezoning is compatible with existing and other uses allowed in the zone districts surrounding the subject land, and is the appropriate zone district for the land, considering its consistency with the purpose and standards of the zone district proposed;	**This standard is met.** The proposed map amendment is compatible with existing and other uses allowed in the zone districts surrounding the subject land, and is appropriate for the site itself.
b.	**Development Pattern**. Whether the proposed rezoning would result in a logical, orderly, economical, and efficient development pattern; and	**This standard is met.** The proposed map amendment would result in a logical, orderly, economical, and efficient development pattern contiguous with surrounding development.
c.	**Infrastructure**. Whether the resulting development can logically be provided with the necessary infrastructure, public improvements, and services.	**This standard is met.** The resulting development can logically be provided with the necessary infrastructure, public improvements, and services. Preliminary infrastructure needs have been identified by the Applicant and details will be analyzed and worked out in subsequent development applications.

6. RECOMMENDED MOTION

I move that the Teller County Planning Commission recommend to the Board of County Commissioners that it APPROVE the request of the Woodland Park Saddle Club Support Organization to amend the Growth Area Map (p.1), the Divide Region Map (p.3) and the Divide Town Map (p.4) of *Appendix B* of the *Teller County Land Use Regulations* to: (i) move the growth area boundary south to include ±18.0 acres of the "Maytag" parcel; (ii) designate the "Maytag" parcel "Town Center Commercial"; (iii) change "Town Residential- New" to "Town Centre Commercial" within the "Rice" parcel south; and (iv) move the commercial/residential boundary on the "Rice" parcel north approximately 260 feet to the east on that ±60.3 acres of land zoned Agricultural (A-1) and described as part of the northeast one-quarter (NE1/4) of Section 12, Township 13 South, Range 70 West of the 6th P.M., Teller County, CO, incorporating staff's findings as contained in the Staff Report dated January 20, 2010, and further finding that the application complies with such pertinent, individual conditions of use specified in the granting of a Map Amendment, is compatible with the general provisions of the Teller County Land Use Regulations, and that satisfactory provisions and arrangements have been made concerning the criteria for approval, and with adoption of the following **CONDITIONS OF APPROVAL**:

A. Any subsequent rezoning application for this land shall be generally based on the uses and areas depicted on Sheet SD1-01 of the "Woodland Park Saddle Club Phase I Site Plan" and the

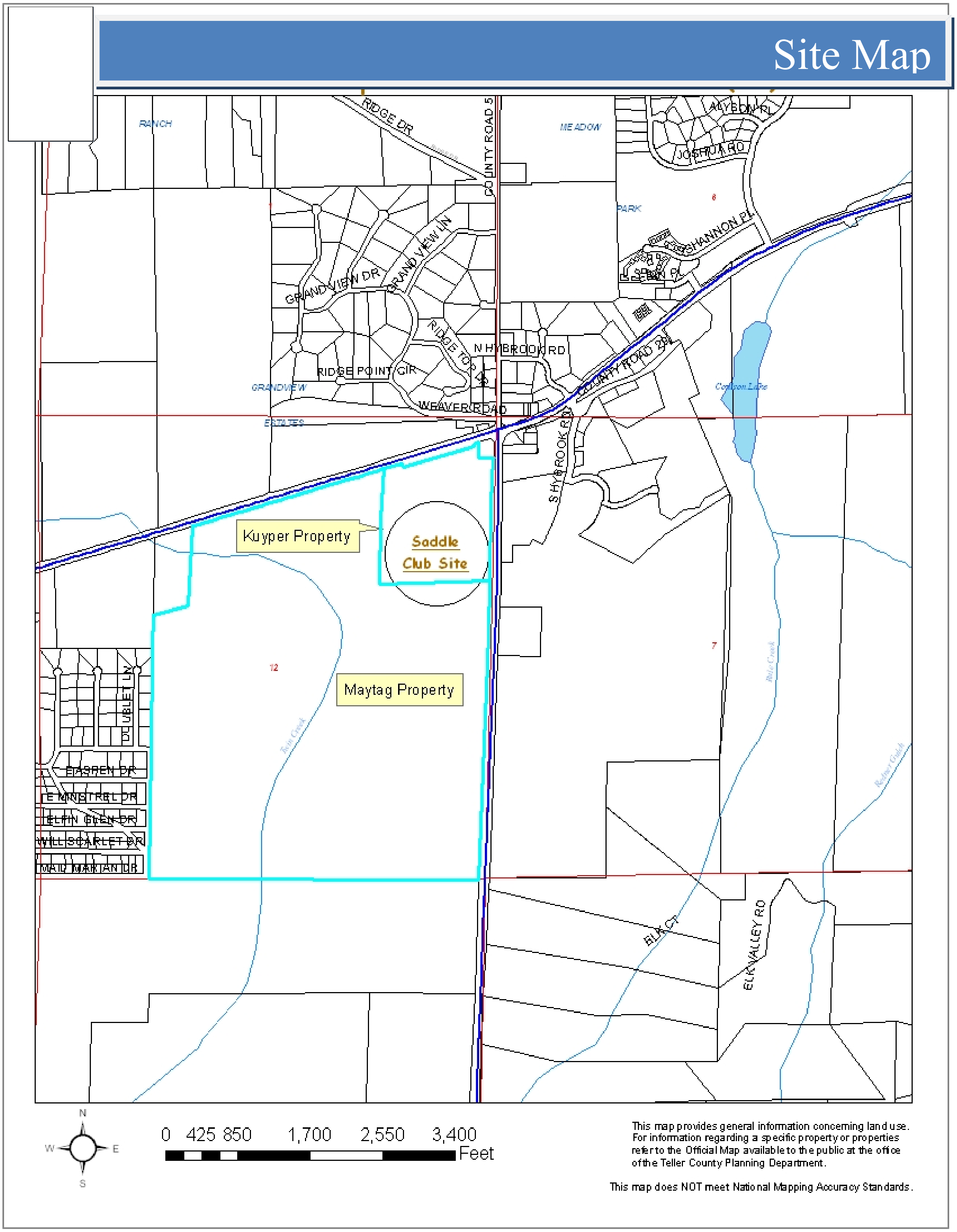
"Woodland Park Saddle Club Zoning Map", both by JPS Engineering (Project No. 080701) with a last modified date of 12/15/09 as submitted with this Application.

B. Approval of this LUR Map Amendment does not imply, indicate nor suggest approval or likelihood or availability of approval of, nor does it in any way approve or grant, any subsequent necessary zoning, platting or other development applications or requests. Applicant's plan will require a number of additional approvals.

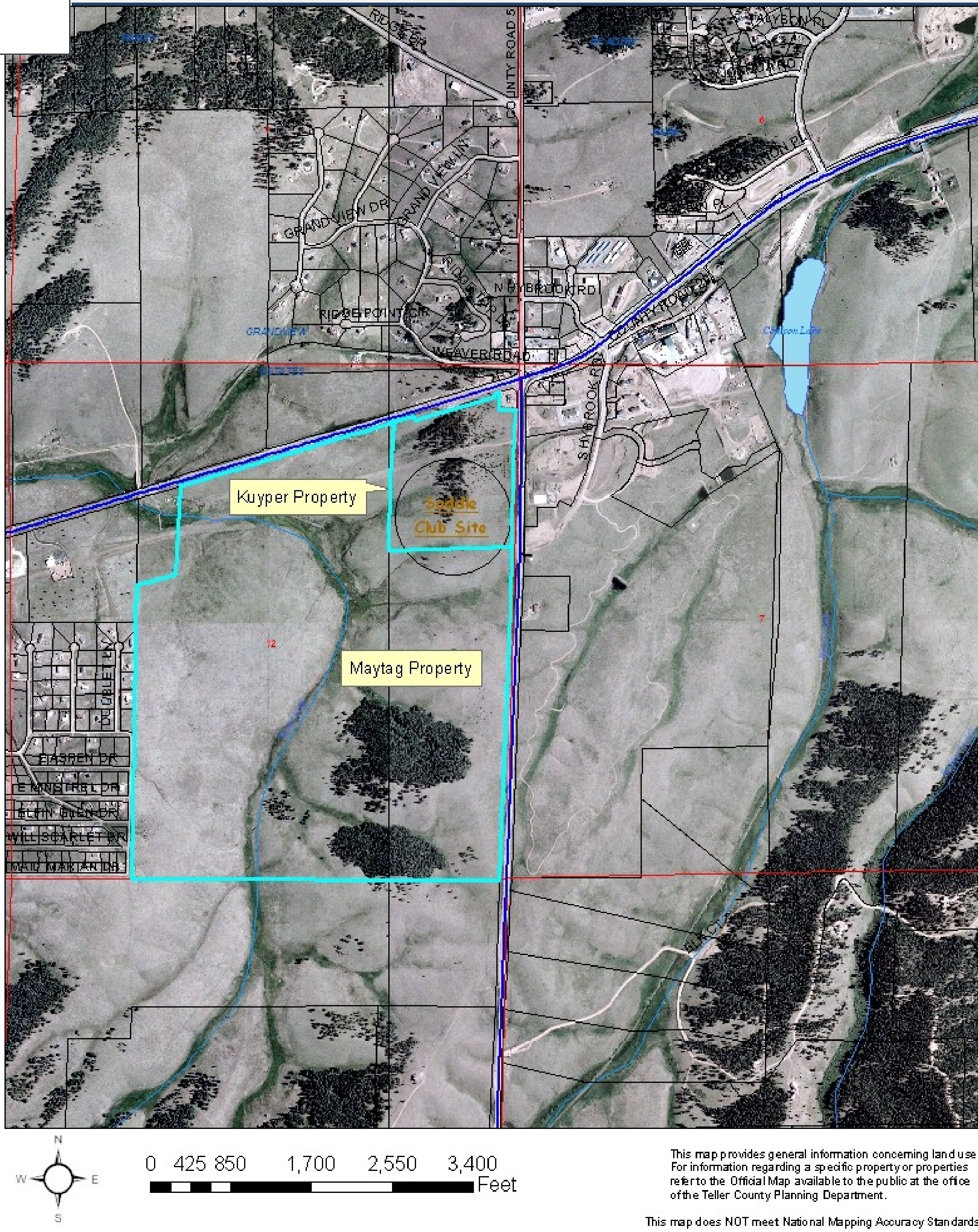
C. Unless otherwise modified by these conditions, all material representations of the Applicant in his submittal material and in public hearings shall be considered binding.

- **STAFF REPORT**
- **APPLICANT PRESENTATION**
- **PUBLIC COMMENT**
- **APPLICANT RESPONSE**
- **PLANNING COMMISSION DELIBERATION & MOTION**

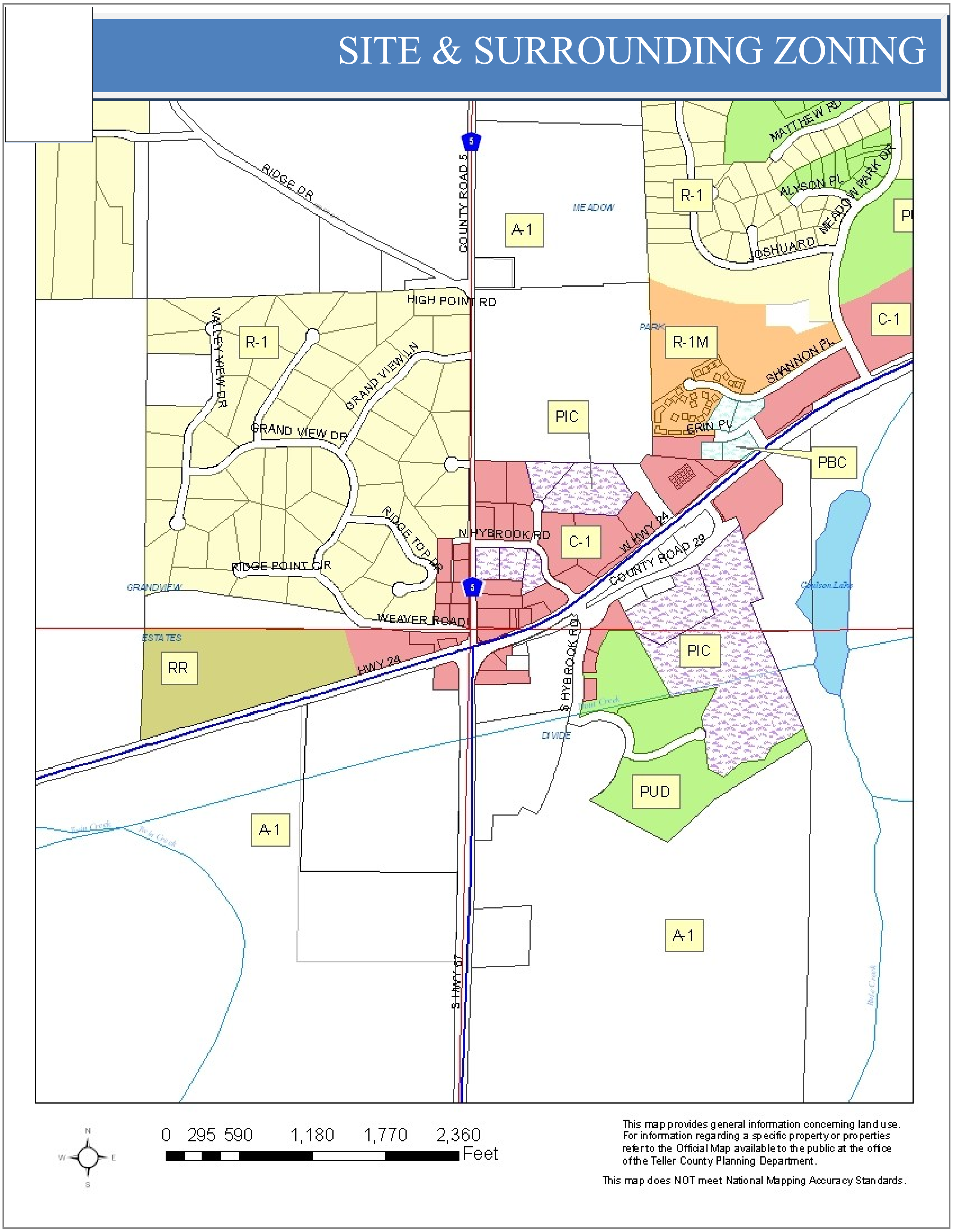
APPENDIX A: MAPS



2005 Air Photo

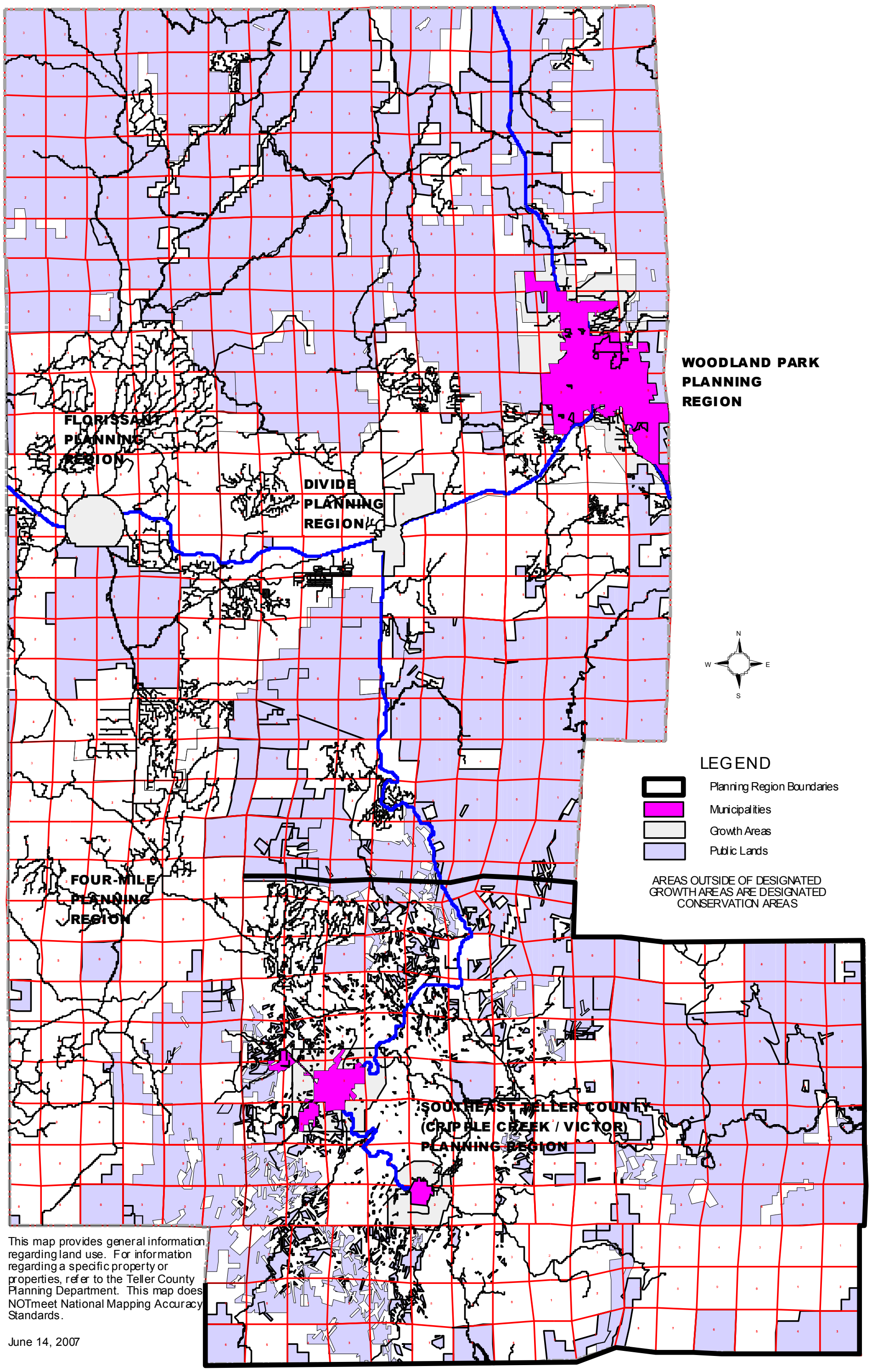


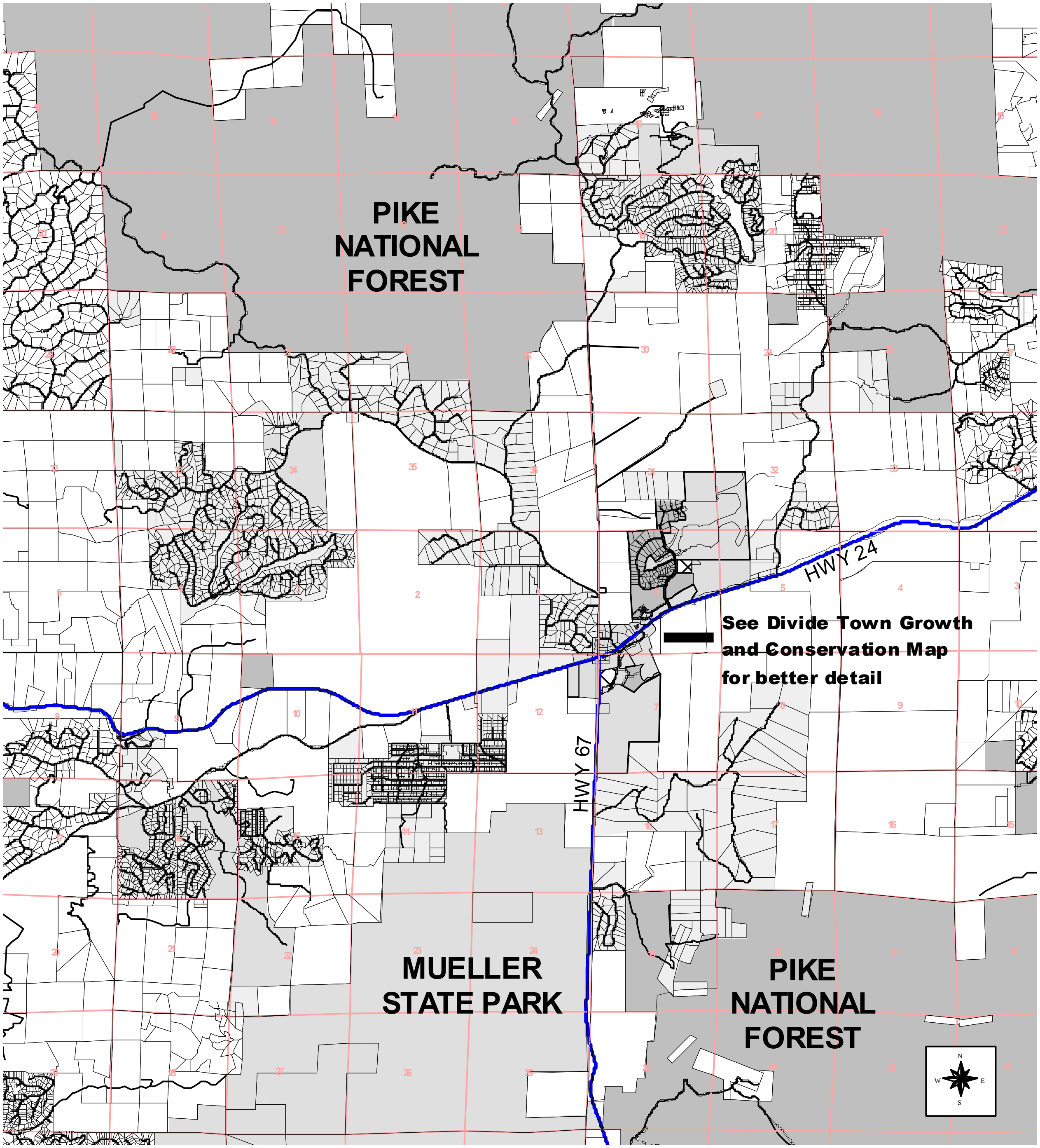
APPENDIX B: ZONING MAP

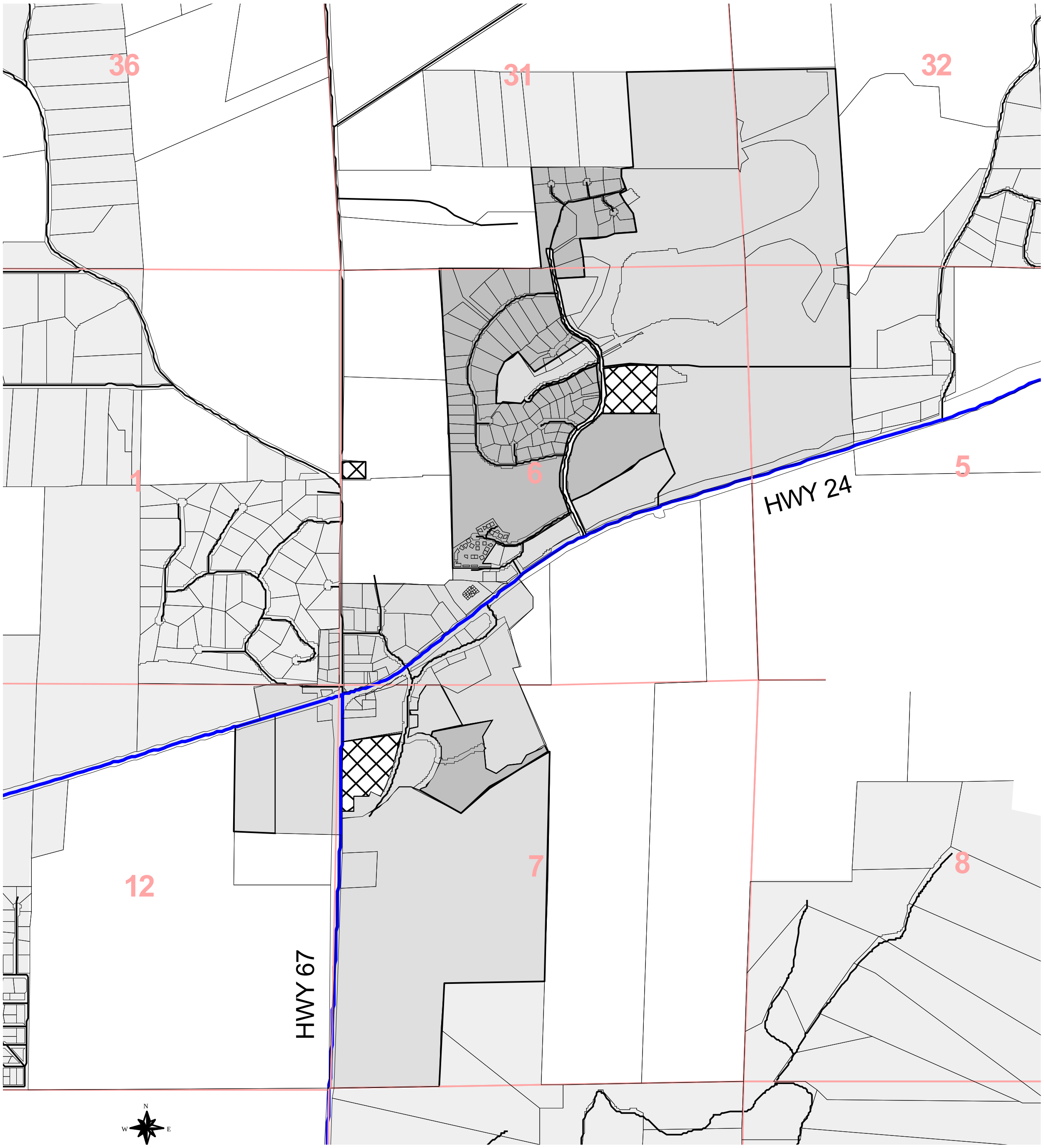


APPENDIX C: CURRENT LUR MAPS

PLANNING REGIONS and GROWTH & CONSERVATION AREAS




PIKE
NATIONAL
FOREST
HWY 24
See Divide Town Growth
and Conservation Map
for better detail
HWY 67
MUELLER
STATE PARK
PIKE
NATIONAL
FOREST


36
31
32
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HWY 24
12
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8
HWY 67
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APPENDIX D: DIVIDE REGIONAL PLAN (DRP) ANALYSIS

GOALS AND POLICIES	COMMENTS
A. WATER: In the Divide Region we are concerned about water quantity and quality, which future growth might adversely affect. A1. Water supply is limited, essential to the entire community, and should be protected. A2. Limit development that might jeopardize the water supply. A3. Err on side of conservatism rather than overbuild where water information is limited. A4. Develop standards for water conservation and for prevention of over-exploitation. A5. Development should comply with requirements for adequate legal supply (paper water), adequate physical supply (wet water), and adequate firefighting supply and facilities.	With central water available from Divide Water Providers [see **Application: §O**], there are no anticipated adverse effect to the region's water quantity or quality.
B. AMOUNT OF GROWTH: The population of the Divide Region should no more than double in the next 20 years. B1. No more than doubling in next 20 years to a maximum population of 10,000 in 2020. B2. Limit of 60 new dwelling units (DU's) per year for the first 10 years. B3. After 10 years, may be increased to no more than 75 new DU's per year. B4. Once the limit has been reached in a year, a person may build one new dwelling unit for each lot that person vacates or eliminates. B5. Units allowed but not built in one year may be carried over into the following year.	The population of the Divide region (defined as that area within a 5 mile radius of Highways 24 & 67) in the year 2,000 was approximately 6,114 people (± 200-400 people). This is a very rough estimate derived from the 2000 Census. The application proposes 50 apartments, 24 duplexes, and 14 patio homes for a total of 102 dwelling units. With a U.S. average 2.61 people/household, the residential component of the proposal would ultimately increase the Divide population by 267 people. As with any other application, the development of these units are guided by time and other limits specified in policies B3 and B5.
C. PLANNING AREAS: The Divide Region consists of 3 distinct planning areas: the Town Center includes both businesses and residences, the Rural Residential area includes existing lots and parcels smaller than 35 acres, and Rural Lands are large tracts making up the rest of the Region. (See Maps 1 and 2) **C1. GENERAL** C1.1 Rural Lands: Maintain existing uses, density, and open character. C1.2 Rural Residential: Continue infilling of existing lots. Encourage vacation of lot lines. Discourage additional rural residential	The Applicant is applying to increase the area of the Town Center in compliance with the DRP Addendum A criteria. The expansion is not in a leapfrog pattern but rather is a logical, contiguous expansion limited to only the minimum land necessary to commercially develop the site while still maintaining a residential

GOALS AND POLICIES	COMMENTS
development. C1. 3 Town Center: Includes business and residential areas, has a specific outer boundary, and additional future development is encouraged to locate within the Town Center. C1.4 Encourage developers to mitigate identifiable impacts. C1.5 Locate high impact uses (e.g. industry) to minimize pollution of land, air soil and water. C1.6 Encourage energy conservation. C1.7 Prevent commercial and industrial development outside of the Town Center. C1.8 Establish the carrying capacity of the land. C1.9 Maintain peaceful and desirous place to live, work, recreate in beautiful mountain environment. C1.10 Exterior lighting should be downcast and shielded to prevent glare onto adjacent properties and roadways. C1.11 Develop sign regulations and apply in all 3 Planning Areas. **C2. TOWN CENTER – GENERAL (SEE MAP 2)** C2.1 There is only one Town Center in the Divide Region. C2.2 All new commercial, denser residential and light industry should be in the Town Center. C2.3 Provide land uses for living, shopping, working, and recreating. C2.4 Promote compact, cohesive pedestrian community over disjointed strip vehicular community. C2.5 Growth should be based upon infrastructure, community values, and physical opportunities and constraints. C2.6 Town Center should not develop in a leapfrog pattern. **C3. TOWN CENTER – BUSINESS AREA** C3.1 Encourage distinct, cohesive, attractive, efficient downtown and business parks. C3.2 Encourage infill and redevelopment before any expansion of the Business Area. C3.3 Encourage businesses that don't need retail visibility to locate further from the highways. C3.4 Prevent strip commercial zoning along Highways 24 and 67 - Town Center area should expand in a nodal form rather than along highway strips. C3.S Promote strong downtown commercial areas, to help create a broader tax base. C3.6 Promote the maintenance and repair of downtown buildings and County-owned facilities. C3.7 Discourage downtown business encroachment on residential or adjacent land uses. Encroachment includes “external effects” such	component. The 18 acre “Maytag” parcel is currently designated Rural Lands. The development proposed for this 18 acre portion will maintain much of this land as undisturbed open space with the only improvements being a 30’ gravel road, two proposed RV camping areas (a total of 18 spaces), a detention pond, and a gravel/grassed overflow parking area. Staff believes the rural character will be preserved. This type of development should be located within a Town Center and is the reason why the Applicant is proposing to annex an additional 18 acres into the Town Center. Stable environmental conditions appear to exist for the proposed uses and site including suitable soil characteristics; the site is not prone to flooding; adequate drainage, groundwater and surface water protection can be provided; soil erosion will be subject to best management practices; the site is being proposed for development to minimize the disruption of its natural character. This map amendment encourages the provision of an adequate supply of land to accommodate large scale growth proposals.

GOALS AND POLICIES	COMMENTS
as noise, glare, dust and trash, as well impact on views. **C4. RURAL RESIDENTIAL AREAS** - Existing parcels of less than 35 acres C4.1 Promote design and site planning compatible with the area's character. C4.2 Protect existing neighborhoods from the intrusion of higher intensity land uses. C4.3 Existing Rural Residential area may not expand without: (a) Paved road access from the Town Center adequate for the additional traffic. (b) Central water and sewer, paved roads, adequate fire safety, schools, and parks. (c) Reduction of 2 existing lots for each new lot created. C4.4 Adhere to State and County noise regulations. **C5. RURAL LANDS -** Including recreational uses (as defined by this document) - private or public tracts of land generally 35 acres or larger (see definition). C5.1 Rural Lands should be encouraged to stay as they are. C5.2 Restrict new developments that could cause noise, visual blight, or noxious odors. C5.3 Existing designated recreational uses within the Divide Region should be encouraged to be successful and encouraged to improve their facilities and operations. C5.4 New recreational developments should be required to amend the Divide Growth and Conservation Maps using map amendment criteria attached to this Plan, as well as County Regulations. C5.5 Cumulative impacts of recreational uses should be analyzed and considered as outlined in the attached criteria for amending maps for recreational use and all Conditional Use Permits. C5.6 New development with over a 100-participant capacity should annex into the Town Center subject to the “criteria”.	
D. TOWN CENTER GROWTH: To promote a cohesive community, growth in the Town Center should serve to enhance both the commercial and residential communities; and infrastructure needs in the expansion area should be pre-approved before any additional growth is considered. D1. Outer boundary of the Town Center should not expand before the Town Center is 75% developed or the map amendment criteria show a demonstrable community need and benefit. “Developed” means platted, approved and ready for building permit application. D2. Encourage high quality buildings.	The proposed Town Center expansion would enhance both the commercial and residential communities of Divide. The Applicant has submitted evidence of pre-approved infrastructure provision and expansion is based upon the availability of supporting utilities, services and facilities. With respect to policy D1, the

GOALS AND POLICIES	COMMENTS
D3. Encourage development that is compact, environmentally positive, and aesthetically pleasing. D4. Monitor progress of development with the goals and policies of the Plan.	area within the Town Center (1,625 acres) is currently 47% developed (755 acres) with 237 of the total 250 parcels platted. With only roughly two-thirds of the Town Center developed, the Applicant has opted to show a “demonstrable community need and benefit” through the submission of letters of support from surrounding businesses, the Divide Chamber of Commerce and surrounding landowners.
E. PARKS, TRAILS, OPEN SPACE, AND WILDLIFE PRESERVATION: The Divide Regional Plan incorporates the Teller County Parks Open Space Master Plan and the Wildlife Development Guidelines. **Parks**: The Plan encourages the Divide Park Board, Inc., to continue its efforts to provide support for community and neighborhood parks. **Trails**: Public trails in the Divide Region should connect the Town Center and Rural Residential areas to schools and recreation areas, providing safe, non-motorized travel routes. **Open Space and Wildlife Habitat:** Preservation of natural vistas, pristine environments, and wildlife habitats is encouraged as recommended in the above Guidelines. E1. At Rule Creek, provide for both wildlife migration and a trail under Highway 24. E2. All development should comply with: (a) Colorado Division of Wildlife 1996 or the most current recommendations for wildlife habitat. (b) Specific standards limiting external effects (noise, glare, dust, fumes, vibrations, smoke, *etc*.). (c) Design standards that reduce visual impact (such as large parking areas). E3. Identify and protect sensitive areas, and restrict incompatible development or activities. E4. Protect significant wildlife habitat areas shown on Division of Wildlife maps. E5. Encourage open space/recreation easements as an alternative to land acquisition. E6. Support acquisition of environmentally significant lands and cultural sites by nonprofits and trusts. E7. Protect sensitive areas from established and proposed transportation corridors.	The event center site is fairly clustered in terms of improvements. Most of the improvements will be clustered in specific areas while the remainder of the site of the site will remain open space. Necessary land or fee-in-lieu dedications will be required and sought with future land use applications as will many of the recommendations of the DRP with respect to preservation of open space, reduction of wildlife impacts, and design standards. Swales and sensitive areas are undisturbed as little as possible The site has moderate to low potential impact on wildlife based on the “Divide Region Wildlife Habitat” (Map 3 of the DRP). Further, the Division of Wildlife, in their letter dated July 11, 2009, states that the development would have “minimal impact to wildlife.” [See **Application: §P**].

GOALS AND POLICIES	COMMENTS
E8. Trails should comply with the County's plan for Parks, Trails, and Open Space. E9. Recognize and encourage the preservation of ranch and rangelands. E10. Encourage adequate parks for future residents in proposed residential developments. Ell. Encourage existing subdivision residents and associations to plan for their recreational needs. E12. Public trails in the Divide Region should be compatible with the Parks Master Plan. E13. Trails should connect the Town Center and Rural Residential areas to schools and recreation areas, including State parks and the National Forest. E14. Proposed public trails in residential developments should connect with and continue the Parks Master Plan trail system. E15. Road expansion and improvements should provide for trails where shown in the Master Plan. E16. Investigate and seek available funds for trails, such as ISTEA and State Trail Grants. E17. Preserve rural character, including large ranches and A-1 zoned tracts, natural vistas, pristine environments, and wildlife habitat, as provided in the Parks Master Plan.	
F. ADEQUATE INFRASTRUCTURE: Any future growth should be supported by adequate infrastructure. Fl. Growth anywhere in the Divide Planning Region should pay for itself. F2. Adequate infrastructure should be available concurrently with any growth. F3. Establish impact fees for roads, drainage, fire, and sheriff. F4. Impact fees, if designated by the County, should apply throughout the entire Divide Region. F5. School and park dedications should be equal to the need that will be created by development. F6. Impact fees for an existing parcel should be waived when the owner vacates a lot line in the Divide Region. F7. Provide adequate land for infrastructure and other utilities. F8. Discourage new subdivisions with lots less than 35 acres in size in areas served by community water unless community sewer is also provided. F9. Encourage all utilities to be underground. FI0. Plan for public infrastructure to support no more than a doubling of population in 20 years.	Adequate infrastructure either exists or is available and can be provided. Necessary road improvements to Hwy 67 are within the jurisdiction of the CDOT. Internal roads and site work (drainage, erosion control, electricity, water & sewer services, etc) can be addressed in subsequent development applications.
G. COMMERCE AND INDUSTRY: Plan for small businesses and light, clean industries, including tourism, to help provide the tax base needed to support local services. Areas should not be offensive,	This proposal will provide business and employment opportunities for residents of the

GOALS AND POLICIES	COMMENTS
overwhelming in scale, or create visual blight or noise pollution. G1. Provide for business opportunities to serve the region and for employment opportunities for those living in the region. G2. Development scale and character must be consistent with existing Divide Region.	region. The equestrian character of the proposal is consistent with the agricultural/ranching character immediately adjacent to the site and the scale is consistent with many of the other regional uses offered in the area (post office, medical services, high density residential enclaves, and the proposed Teller County government campus).
H. DEVELOPMENT, CHARACTER, AND QUALITY: The buildings, landscaping, and signs in the Town Center should have the distinct, cohesive character of a mountain community. Parking and traffic should be handled in a way that is hospitable to pedestrians. H1. The Town Center should be a whole community and not isolated separate communities - roads, walks and trails, architecture and arrangement of buildings, parking areas, lighting, signs, and landscaping should reinforce the image of one community. H2. In the Town Center, building design standards do not apply to single family detached dwellings. H3. In the Town Center, set minimum standards adjusted to building codes for construction and maintenance of buildings and sites to prevent deterioration leading to blighted conditions. H4. In the Town Center, design of buildings and sites should present a rural or residential character and should be oriented to the Town and not to the highways. H5. In the Downtown, encourage the County to work with businesses and residents to develop standards for architecture, signs, lighting, and landscaping that promotes a visually attractive and high quality development. H6. Throughout the Divide Region, site planning techniques and design standards should be compatible with natural topographic conditions and climate. H7. Encourage retail businesses and their products to be located in permanent structures as defined by Teller County's building codes. This policy is not intended to prohibit the use of temporary structures or outdoor display for special events such as weekend craft shows, festivals, or retail sales not normally subject to state sales tax. H8. The character of development in the Town Center Business Area should reflect the natural setting, climate, history and architecture that distinguish Divide as a rural mountain community. H9. County-owned property located in the Town Center that is visible from Highway 24 should be screened with landscaping. Non-usable vehicles should not be stored on County roads. Landscaping and tree berms should be part of the 25% PUD open	The development character and quality will be highly regulated upon processing the rezoning application (preferably to PUD as the optimal zone to capture their intended uses). A PUD rezoning is an involved and detailed process requiring submission and approval of a sketch and preliminary plan, the development of a PUD guide to control the design and location of buildings, landscaping, signage, parking, architectural features, lighting, etc.

GOALS AND POLICIES	COMMENTS
spaces requirement. New buildings should be consistent with architectural guidelines.	
I. TRAFFIC: We are concerned about the quality of roads and the effects growth may have upon the roads. I1. Design and locate driveways and parking so as not to interfere with the flow of traffic. I2. Provide adequate sidewalks and/or trails as appropriate in the Town Center. Trails may be the more appropriate solution instead of traditional sidewalks in keeping with the rural atmosphere in some areas of the Town Center. I3. Encourage reduced driving by locating car pool or park-'n'-ride lots to serve the region. I4. Encourage all new development to have or create direct access to Highway 24 or Highway 67 to limit increased daily traffic flow along current county roads. Having sufficient emergency evacuation capabilities is a vital concern for the safety and welfare of all Divide residents.	Two entries are proposed with direct access to Highway 67. This application does not provide, nor does CDOT approve, direct access to Highway 24. Many of the design recommendations in these policies will be addressed with subsequent land use applications.
J. IMPLEMENTATION: J1. A keystone of the implementation of the Divide Regional Plan is the adoption into the Teller County Land Use Regulations of the Divide Growth and Conservation Maps as regulatory. Therefore, since any amendment to these maps may affect implementation of the Divide Regional Plan, Teller County and all concerned parties should consider "criteria for amending Divide Town Growth and conservation map" and "criteria for amending Divide Region Growth and conservation map" for recreational uses (resort CUP). These criteria are attached to this Plan as criteria addendum "A" and criteria addendum "B". J2. Encourage adoption of the regulatory map to carry out this Plan at the same time the Divide Regional Plan is adopted. J3. The Divide Planning Committee should continue (1) as a point of contact in the Divide Region for those proposing or reviewing developments and other land use matters directly affecting the Divide Region, and (2) to clarify the intent of the Plan and its contents. Developments and other land use matters include: ➢ Residential, industrial and commercial development ➢ Transportation facilities ➢ Recreational facilities ➢ Educational and cultural facilities ➢ Water/Sewer lines and treatment stations for incorporation into District facilities plans ➢ Review and adopt the Divide Water and Sanitation District's Facilities Plan if it provides means to achieve objectives ➢ Site plan review for commercial development ➢ Development of covenants providing guidelines for	See the staff analysis for "Addendum A: Criteria for amending Divide Town Growth and conservation map." The Divide Planning Committee was sent a referral and they recommend denial of the proposal (see **Appendix E**).

GOALS AND POLICIES	COMMENTS
architecture, signage, lot requirements, walkways and landscaping ➢ Identify adequate land for growth J4. The Committee should provide a forum for development decision-making and Plan implementation. J5. Appointments to all County boards and commissions should be representative of the Divide Region. J6. Encourage the County to strictly interpret variance criteria, particularly with respect to maximum steepness of driveways and buildings sites.	

Addendum "A" to the DRP
Criteria for Amending Divide Town Growth and Conservation Map

I. <u>NEED</u>. Is there a demonstrable need? How much potential development ground is left in the Town Center? Given the long term nature of a project approval process (acquiring water rights, preliminary planning, etc.), is it the right time to expand the Town Center Boundary? Does the specific measure of the current percentage of ground developed within the Town Center generally match the percentage as defined in D1 (see DRP, p.5)?	<u>Yes</u>, Staff believes there is a demonstrable community need and benefit (and as such complies with Policy D1 of the Divide Regional Plan) and, given the current application, it is the right time to expand the Town Center boundary. Staff believes the need has been demonstrated by the submission of the letters of support from surrounding Divide businesses, the Divide Chamber of Commerce, local service providers, and adjacent landowners.
II. <u>MARKET NEED</u>. Is there a market need for the proposed project that is different than the needs being served by currently approved plans or preliminary plans?	<u>Yes</u>, the logical and appropriate site for this proposal is a 60 acre tract of vacant land within a growth area and designated commercial near Highway 24. Commercial growth areas within Woodland Park, Divide or Florissant have a limited number of large sized tracts of vacant land and it became necessary to assemble the necessary land. There is a market need for additional commercial area in the Divide Town Center to accommodate a multi-use event center of the size, scale and scope proposed by the Applicant. Also, the housing mix proposed (apartments, duplexes, and patio homes) serves a very real need to diversify the residential market in Divide.
III. <u>COST/BENEFIT ANALYSIS</u>. Would the inclusion of these land within the Town Center bring specific benefits such as a compensatory trade or density to the Divide community that serves the community's desires or needs? Is there a benefit to the Divide Region as defined by the goals of our Plan? Are there dollar costs or detrimental impacts that should be considered? Does the development proposal pay its own way?	<u>Yes</u>, specific benefits to the community would ensue and the proposal would pay its own way. While the community's desires and needs are not explicitly stated in the Divide Regional Plan, they can be inferred from its goals and policies. Some obvious benefits include the provision of undisturbed open space within the site and/or fees in lieu of open space that would support nearby Teller County parks, trails or open spaces, the provision of land for living, shopping, working and recreating that would enhance and provide opportunities for surrounding existing commercial businesses and residential communities, the availability of adequate infrastructure, and the significant boon to Divide tourism

GOALS AND POLICIES	COMMENTS
	that such a facility would provide.
IV. <u>SCALE</u>. Are the magnitude, intensity and size of a proposal appropriate for our community?	**<u>Yes</u>**, the magnitude, intensity and size are appropriate for the community in the location proposed. This type of regional event facility should be in a growth area adjacent to other similar regional uses and close to a denser population base.
V. <u>LOGICAL EXPANSION</u>. Does the proposal represent a contiguous, logical nature to the expansion of the Town Center? Are adjacent uses compatible?	**<u>Yes</u>**, the proposal is a contiguous expansion of the town center; it is logical and compatible with adjacent agricultural, commercial and residential uses.
VI. <u>IMPACTS</u>. Can impacts per County requirements and special concerns be mitigated appropriately? Impacts include but are not limited to the following: -emergency access, escape plan, including fire -related -roads, traffic -water supply and quality (drainage) -sewer/septic -fire protection and associated costs -sheriff protection -hazardous issues (spills, chemical explosion) -quality of life issues (open space preservation, environmental, wildlife, views, road corridor vistas, lights, noise, odors) -industrial agricultural, rural agriculture -cumulative community impacts -appropriate density. Prior amendments/approvals do not establish precedence. The Planning Committee should consider how each proposal will impact the vision outlined in the Divide Regional Plan (see DRP, p.1).	**<u>Yes,</u>** impacts can be mitigated appropriately pursuant to the LUR in the processing of the subsequent necessary development applications. It is worth noting that the Applicant has identified the most significant potential impacts (traffic/Hwy 67 improvements, site drainage and erosion control) and has begun to propose mitigation with this LUR Map Amendment application.
VII. <u>FUTURE</u>. Might this request be appropriate if modified or implemented at some future date?	**<u>Maybe</u>.** This request is appropriate at this time. Each application is analyzed based on its merits at the time of submission. Future or modified requests would be assessed at the time of submittal given existing applicable circumstances. Based on the findings and analysis as contained in this Staff Report, Staff believes the request is appropriate at this time without any requisite modifications and that large tracts of developable land need to be available in the Town Center.
VIII. <u>MAP AMENDMENT/ANNEXATION</u>. Could there be an agreement (similar to a Development Agreement) outlining conditions precedent to map amendment and/or permanent restrictions or conditions on the property as part of the amendment?	**<u>Yes</u>**, subsequent applications would require agreements (for example, a PUD sketch and preliminary plan would specify the location and types of improvements, a Subdivision Improvement Agreement would address the funding, guarantees and warrantees to road improvements, etc.). Conformance with the submitted site plan, similar in many ways to a Development Agreement, is a condition of this LUR Map Amendment.

APPENDIX E: SUBMITTAL REQUIREMENTS

SUBMITTAL REQUIREMENT	STAFF COMMENT
Section 3.2	
Application Form	Submitted
Title Commitment, Title Guarantee, Attorney's Title Opinion, or O&E	Submitted
Adjacent Property Owners (APO) List	Submitted
APO labels	Submitted
Written statement or narrative describing request, reasons for request, and how the standards for a **Land Use Regulation change** are met	Submitted
Section 2.11.C.1.a - b Text Change	
a. **<u>Use Change</u>**. Where the change proposed is a change in use or addition of a new use in a particular zone district, Applicant shall submit a written analysis of the considerations set forth in *Section 2.1.D Determination of Similar Use.*	Submitted
b. **<u>Specific Language</u>**. Where the change proposed amends the text of these Regulations, the precise wording of the proposed new text shall be provided.	Not Applicable
Section 2.11.C.2 Map Change (LUR Map Change or Rezoning)	
2. **<u>Map Change</u>**Error! Bookmark not defined.. If the development permit application requests an amendment to the Official Zone District Map ("rezoning") or a regulatory map incorporated into an appendix of these Regulations, it shall include a boundary survey of the subject property, prepared by a State of Colorado Licensed Professional Land Surveyor. The survey shall accurately describe the dimensions of the subject property, including its size in square feet or acres, and shall be accompanied by a written statement or map describing the present zone district and existing uses of the subject property and all adjoining and adjacent properties, together with a site plan prepared in accordance with *Section 7.4 Site Plan for Applications Other than Building Permit* showing the property's proposed zone district, land use, and density. The timing for the future development of the property shall be stated.	Submitted

To: Lor Pellegrino, Senior Planner

From: Fred Clifford, Public Works Director

Date: 01-21-10

Re: WPSC Application, File #LUR-00037(09)

Lor,

Based on my interpretation of the amendment to the LUR map I believe that the previous comments made by Parks remain unchanged. I have included those comments in italicized text below:

In reference to the WPSC application and based on our communications it appears that the site plan indicates that the NW corner of this project is proposed to include future building envelopes. Although these areas are only "proposed" at this time Paul Clarkson indicated to you that Chapter 4-Section 4.4 of the Teller County Land Use Regulations would be applicable to this project during the platting stage.

Given the above, the applicant should follow the provisions contained in Section 4.4 and prepare a proposal for consideration. Without specific details on the number of proposed housing units I would not be able to comment on the amount of land or fees-in lieu that would be associated with this project. I also believe that Section 4.4 requirements would only be based on the land specifically used for residential and not the entire project.

Based on the close proximity of this project to existing parks and trails I would encourage the applicant to consider the Public Park Land Alternatives when submitting their proposal.

If I can be of any further assistance please feel free to contact me.

Respectfully,

Fred Clifford, Teller County Public Works

URS

October 30, 2009

Lor Pellegrino
Senior Planner
Teller County Community Development Services
P.O. Box 1886
Woodland Park, CO 80866

RE: **Woodland Park Saddle Club Multi-Use Facility - (WO# 67)**
Review of LUR Amendment Application

Dear Lor,

URS has reviewed the following document for the Woodland Park Saddle Club Multi-Use Facility, in accordance with the Teller County Land Use Regulations:

- Land Use Application to Amend a Map for the Woodland Park Saddle Club Multi-Use Facility, October 6, 2009.

Comments following the review are as follows:

1. The application states that two 'retention' ponds are planned on the site, in the NW and SE corners of the property boundary. However these ponds are labeled as 'detention' on the Site Plan (SD1-CP). The Site Plan shows the NW pond having a 60" CMP outfall, suggesting it is, in fact, a detention facility. It is unclear whether the SE pond will have an outfall, or whether it will be a retention facility. Retention ponds use evaporation and infiltration for drainage, and their size and feasibility depend on the soil conditions. The soil types are not included on the maps or anywhere in the application. The following actions are suggested.
   a. Verify that the amendment meets the detention/retention requirements for the anticipated land use (Town Center).
   b. If the ponds are in fact retention facilities, include the soil type and hydrologic soil group (HSG) for the entire site, showing adequate infiltration capacity. Also label them as such on the Site Plan.
   c. If the ponds are detention facilities, show an outfall for the SE pond and label them as such in the application.

2. Section 2.1.D.6 of the Land Use Regulations states that the Planning Director shall consider "Special Requirements", such as the "potential for pollution". The application states that the applicant "foresees no special requirements". It should be noted that the planned equestrian use of the land will increase certain pollutants, and may need to be mitigated during the design phase of the project.

URS Also reviewed the Saddle Club / Rice Kuyper Property Traffic Impact Analysis dated April 9, 2009. There are no comments on the content of the traffic report beyond the comments submitted by the Colorado Department of Transportation (CDOT) in their letter dated June 12, 2009. General Comments are provided below:

1. Since the trip generation for the proposed Saddle Club site was estimated by the applicant, actual trips could differ. A fluctuation of the trips could have an affect on when, or if, a signal may be needed at the intersection of SH 67 and the Northern Site Access. The need for

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URS

a signal would have to be monitored based on the progression of this development and the Rice/Kuyper property development.

2. If large events such as rodeos or festivals are held at the Saddle Club site, an event traffic control plan will need to be developed to prevent traffic congestion along US 24 and SH 67.
3. Overall, the land use proposed for this site and documented in the Traffic Impact Analysis will not cause the traffic operations on the roadways in the vicinity of the site to fail.

URS recommends approval of this application, pending that the above comments are addressed. If you have any questions regarding these review comments, please contact me at 533-7844.

Sincerely,

URS Corporation
County Engineer

John Reese, Project Manager

CC: File: 21711784, jtr
Paul Clarkson, Teller County Community Development Services, via email

Divide Planning Committee
P.O. Box 1019
Divide, Colorado 80814

January 19, 2010

To: Teller County Planning Commission
Teller County Planning Department

Subject: Woodland Park Saddle Club Support Organization LUR – 00037(09) Application

The Divide Planning Committee members have met with the applicant during informal, general meetings, and subsequently have had numerous communications with Divide area residents, business owners, home owner association members, and interested land owners through personal contact, email, and phone conversations.

The Divide Planning Committee has reviewed and discussed the merits of the above mentioned LUR Application as it pertains to the adopted Divide Regional Plan and the regulatory Divide Region Growth and Conservation Map. We have formed these beliefs:

1. The applicant has stated correctly within the submitted application that they do not meet the necessary requirements to request an amendment to the Divide Regional Growth and Conservation Map at this time.

2. The applicant states within the LUR application that they are applying for this LUR solely based on their interpretation of the Divide Regional Plan, Section III – Goals and Policies, Town Center Growth paragraph, item D1 representing a "demonstrable community need or benefit"

   The applicant's LUR defines a privately owned business/organization recognizing a possible opportunity for their organization's growth and financial sustainability by hoping to meet the needs of a potentially underserved recreational market as viewed by the applicant.

   This LUR application does not represent a "demonstrable community need or benefit" as described or intended within the Divide Regional Plan, Section III, D1. This development is, in fact, a private, commercial equestrian/recreational center managed by the WPSC Support Organization and will be used by a proposed variety of commercial event planners, organizers, and event promoters; as well as, the nonprofit Woodland Park Saddle Club.

   This development in our opinion, and as expressed more completely within the LUR application by the applicant, fails to describe a true community need or benefit served by this applicant that warrants changing or modifying the current boundaries of the Divide Region Growth and Conservation Map at this time. Instead, the applicant states correctly that the Divide area and its varied residents, organizations, and business entities along with Teller County in general should be viewed as potential customers of entities using the proposed facility.

   The Woodland Park Saddle Club (WPSC), as stated within their publically available newsletters and board minutes, has recognized that due to the truly commercial nature of this proposal a new entity i.e. the Woodland Park Saddle Club Support Organization (WPSCSO) needed to be created to manage the proposed commercial use of this property and to protect the WPSC from potential third party liability lawsuits and other legal obstacles and challenges normally associated with commercial enterprises.

3. While the relocation of the historic Woodland Park Saddle Club to Divide may be viewed as a convenience and a community benefit by its current and potential members, the entity making this LUR application MUST be viewed in terms and by definition as a private developer seeking to amend the current Divide Region Growth and Conservation Map to develop a commercially viable recreation/event center. The proposed commercial recreational center within this LUR application can be located within the existing Town Center boundary as demonstrated by the phased maps offered by applicant.

4. This LUR application completely fails to address other areas and topics included in the Divide Regional Plan, Section III – Goals and Policies which also apply when reviewing this application. Several items found in Section III are addressed below:

   a. Section III, D Town Center Growth, Item D3 states:
   "Encourage development that is compact, environmentally positive, and aesthetically pleasing." This proposed development is not compact.

   b. Section III, C3 Town Center – Business Area, item C3.07 of the Divide Regional Plan states:
   "Discourage downtown business encroachment on residential or adjacent land uses. Encroachment includes "external effects" such as noise, glare, dust and trash, as well impact on views." This proposed development does not discuss mitigation of "external effects" on future development of the Town Center Residential area already platted.

   c. Section III, C5 Rural Lands, item C5-1 states: "Rural Lands should be encouraged to stay as they are." The vision of the Divide Regional Plan and the basis for the approved Divide Region Growth and Conservation Map was developed over years of ongoing negotiations among varied parties interested in the future and growth of Divide.

   Amending the current Divide Region Growth and Conservation Map to basically allow for a parking lot on rural land purposely placed outside the current Map boundaries, is viewed as being completely counter to the passion, time, effort, and thought numerous people contributed for over a decade to create the Divide Regional Plan and their success in getting the Divide Region Growth and Conservation Map accepted and approved by Teller County.

   d. Section III, C5 Rural Lands, item C5-2 states: "Restrict new developments that could cause noise, visual blight, or noxious odors."

Based upon the above information and opinion, the submitted phased maps which visually show the proposed use of the current rural lands outside of the approved Town Center boundary for overflow parking or additional campsites not directly affecting the actual creation/development of a recreation center, and the stated desire by the applicant to slowly build the center in phases, the Divide Planning Committee hereby requests that any application to amend the Divide Region Growth and Conservation Map be denied at this time.

The benefit of approval would be singularly to the applicant with minimal benefit to the Community. In conclusion, the Divide Planning Committee recommends and requests that the Teller County Planning

Department and the Teller County Planning Commission reject the proposed LUR application as submitted.

Sincerely,
The Divide Planning Committee

William Blackburn, Committee Chairman

Current Divide Planning Committee members:

John Collins	Jim Irving	Terry Wenzlaff	Fred Swets
Zug Standing Bear	Pete Rawson	Conni O'Connor	John Kissingford

Divide Planning Committee members Voting to Adopt the amended Plan on July 3, 2006:

John Collins	Pete Kuyper	Jim Irving	Terry Wenzlaff
Fred Swets	Zug Standing Bear	Pete Rawson	Conni O'Connor
Kim Pennock	John Kissingford	William Blackburn	

Voting to Adopt the original Divide Regional Plan and Divide Region Growth and Conservation Map on November 20, 1997:

John Collins	Pete Kuyper	Terry Mann	Doug Page
Dan Dellinger	Helen Dyer	Maryann Fairbanks	Keith Faulds
Evelyn Irving	Jim Irving	Betty Gunnoe	Chuck Mann
Marvin McCully	Lawrance Oliver	Chuck Pierce	Anne O'Connor
Bill Page			

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11/21/09

To Whom It May Concern

As owners of the southwest corner of the junction of Hwy 24 and 67, contiguous to property in question, Maurice and I want to express our strong support of the Woodland Park Saddle Club Support Organization in its application for a change in designation of property usage. Horses are a big part of the lives of many people in Colorado, especially in and around the Divide-Woodland Park region, and we feel that this project will benefit the area and bring much needed revenue and positive activity.

Sincerely,
Maurice and Lea Wood