



## PLANNING COMMISSION - RESCHEDULED FROM 1/15

Monday, February 03, 2025 at 5:00 PM

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

\*LIVE STREAM available on Town website\*

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### AGENDA

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*This agenda is subject to revision 24 hours prior to commencement of the meeting.*

#### Call to Order

#### Roll Call

#### Approval of Minutes

- [1.](#) Minutes from November 20, 2024 Meeting
- [2.](#) Minutes from December 4, 2024 Special Meeting

**Public Hearing** – *Chair will introduce the item and hear the applicant request. Chair will ask if any public member wishes to speak for or against the request. Public should address the Commission members directly while members listen. Applicant may provide closing remarks and members may ask questions of the applicant. Chair will close the hearing and members will discuss the item, move a recommendation, and/or continue the hearing to a particular date.*

3. Application for Minor Resubdivision/Replat - Largo Terrace, 201 Poco Ave (Beltran) - *requested to continue until March meeting*

#### Business Items

- [4.](#) Application for Sign Permit - Back Corner Building/Timberwood Investments (650 County Line)
5. Review and Consider Recommendation on Applications for Appointment to Planning Commission
6. Nominate/Vote on Commission Chair
7. Nominate/Vote on Commission Vice Chair
- [8.](#) Recommendation to Amend Three-Mile Plan Map, Text, and Future Land Use Map for Community Master Plan

**Public Comment** - *This time is reserved for the public to speak to items not on the agenda. Individuals must state name and limit comments to (3) minutes unless extended.*

#### Next Meeting (2/19) and Future Items

**Adjourn**

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**Americans with Disabilities Act**

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Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

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**Notice**

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Notice is hereby given that more than two members of the Board of Trustees may be present; however, there will be no action taken by the Board of Trustees at this meeting.



## PLANNING COMMISSION

Wednesday, November 20, 2024 at 5:00 PM

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

### MINUTES

**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 emergency vehicle access to the Santa Fe trail from El Paso County. 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. MOTION (Ihlenfeld, Miner) amended 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*



## PLANNING COMMISSION - SPECIAL MEETING

Wednesday, December 04, 2024 at 5:00 PM

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

### MINUTES

**Call to Order.** Vice Chair Fisher called the meeting to order at 5 pm.

**Roll Call.** Present: Commission members Lindsey Zapalac, Susan Miner, Mark Bruce, Amy Hutson, and Bill Fisher. Tim Caves arrived late. Excused: Charlie Ihlenfeld.

Collins mentioned that the applicant for the sign permit was going to arrive late. Due to the applicant for item 1 not being present, Vice Chair Fisher took Public Comment first.

**Public Comment** – Mr. Kurt Ehrhardt explained his matter with Dollar General a few months back. He commented that he may advertise the property as four separate lots for sale instead of one large lot development. He stated that it is his goal to sell the property. Mr. Ehrhardt also offered a few comments about the possible annexation for the Buc-ee's development, suggesting that it should be considered carefully as an opportunity for the town.

#### Business Items

Vice Chair Fisher took other items while waiting for the arrival of the sign applicant.

2. Recommendation on Amended Planned Development (PD) Code. Discussion took place about a few clerical errors. MOTION (Hutson, Miner) to accept and recommend approval of the PD code as presented. Motion passed 6-0.

3. Recommendation/Conditional Acceptance of Article 1 and Article 2. Discussion ensued about the modifications to the Article 2 draft, including clarity and consistency of the language use throughout the article, such as "remain natural state" being different from impervious surface. Discussion took place about the dimension table and removal of note 2 referenced on page 124. Discussion ensued about height restrictions as defined in building code, setbacks, percentage of impervious surface. Trustee Dennis Stern offered information about PPRBD building code changes for trusses, which may hinder the restricted height. Collins informed members of the direction from the planning consultant that the request is conditional acceptance of Article 1 and Article 2 to move to the next article and the entire code will come back to the Planning Commission for a final review and recommendation. It was discussed that working through Article 3 may help clean up some of the current concerns, and the list of Article 2 comments will be held for the final review.

Mr. Kurt Ehrhardt cautioned the members about limiting height to 30 feet. Mr. Roger Moseley referenced a memo that he sent by email to the members, commenting that there are inconsistencies

for the amount of impervious surface, noting a 2.5 acre parcel will allow more impervious surface than agricultural. He questioned the limitations of ADUs on residential agricultural property. He stated that he wanted to have justification for dwelling units on agricultural property. Mr. Moseley stated the code identifies setbacks from Hwy 105 only for Residential Agricultural and Residential 2.5 acre property, noting there is no amount of setback for other zoning along Hwy 105. He suggested that the engineering comments about sanitation be revisited. Mr. Moseley made final comments that he did not believe that the code would be revisited. Commissioner Fisher stated the Planning Commission has spent more than a year reviewing land use code. MOTION (Hutson, Miner) to conditionally accept Article 1 and Article 2 with the expectation that all revised articles will come back for a final review and recommendation. Motion passed 6-0.

1. Sign Application - Balanced Yoga Studio (790 Hwy 105). Studio owner, Crystal, approached the members for approval of the installed yoga studio sign. Collins confirmed the address is within the Palmer Lake boundaries. Discussion took place about the monument sign type and quantity allowed for an individual unit and ended by identifying this retail space not being a center as defined in code. Questions were raised with the applicant about additional features. MOTION (Zapalac, Miner) to approve the sign as presented and condition that any additional features, such as lighting, or any other modification, come back to the Commission for review. Motion passed 6-0.

**Next Meeting (1/15) and Future Items.** Members discussed a potluck dinner date.

**Adjourn.** MOTION (Zapalac, Hutson) to adjourn at 5:58 pm. Motion passed.

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



42 Valley Crescent  
PO Box 208  
Palmer Lake, CO 80133  
Phone: (719) 481-2953  
Fax: (719) 488-9305  
[www.townofpalmerlake.com](http://www.townofpalmerlake.com)

TOWN OFFICE USE ONLY	
Date Received: <u>1/15/23</u>	By: <u>[Signature]</u>
Payment #: _____	Fee: \$ <u>100-</u>
<input type="checkbox"/> Approved	By: _____
<input type="checkbox"/> Denied	Date: _____

## TOWN OF PALMER LAKE SIGN PERMIT APPLICATION

The following application is pursuant to Municipal Code Chapter 14.50 and must be completed for all types of signage in the Town of Palmer Lake. The application fee is \$100.00, which includes a nonrefundable \$15.00 fee for application processing, regardless of approval, denial, or applicant withdrawal.

The following documents must be submitted for this application to be considered:

- Completed Sign Permit Application
- Applicable fees
- Sketch of sign, including colors, dimensions, wording, and specific location of sign

This application and all required associated documents shall be submitted to the Town of Palmer Lake prior to scheduling before the Planning Commission. The Planning Commission meets monthly on the third Wednesday. Submission of application does not guarantee approval.

*Note: A minimum of 10 days is required to process this application.*

### APPLICANT/BUSINESS OWNER INFORMATION

Business Name/Owner: Back Corner Building/Timberwood Investments LLC

Phone: 719-331-9335 Email: dsh@timbernorth.com

Street Address: 650 County Line Rd City: Palmer Lake State: CO Zip: 80132

Legal Address: Lot(s): 2 Block: \_\_\_\_\_ Subdivision: Foxtrot

Mailing Address (if different than physical location): PO Box 2636

City: Monument State: CO Zip: 80132

Applicant Name (if other than owner): SignShop Illuminated

Phone: 719-573-1567 Email: permits@signshopilluminated.com

Street Address: 3501 E Platte Ave City: Colo Spgs State: CO Zip: 80909

**SIGN & FEE INFORMATION**

The fee for this application is \$100.00. If requesting more than one sign, a separate application must be completed for each sign.

A sketch of the intended sign, including colors, dimensions, and location of the building or structure to which the sign will be attached, must be included with this application.

**TYPE OF SIGN** (check all that apply):

- Double-Faced
- Free-Standing
- Multi-Faced
- Projecting
- Single-Faced
- Wall-Mounted

**SIGN CATEGORY** (check all that apply):

- Business
- Comprehensive Sign Plan
- Directory Sign
- Marquee
- Master Plan
- PUD Sign
- Temporary Sign
- Other: Directional

Sign Wording: Back Corner Building Arrow > 605 County Line

Specific Location of Sign: Sign to be located on the SE side of the property in front of the mailbox

Dimensions of Sign: L 32.5" x W 10" x H 19.5" Dimensions of Sign Structure: L 32.5" x W 10" x H 36"

Colors: Beige and Maroon Materials: Aluminum and vinyl

Will sign be illuminated?  Yes  No If yes, describe: \_\_\_\_\_

How will the sign be mounted/affixed? Hand dig, pole in ground

THIS APPLICATION HAS BEEN EXAMINED AND COMPLETED BY ME. ALL OF THE INFORMATION COMPLETED IN THIS APPLICATION AND ALL ATTACHMENTS ARE TRUE, CORRECT, AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AM AWARE OF AND FULLY UNDERSTAND THE TOWN OF PALMER LAKE REGULATIONS.

Jennifer J Case  
Signature

Jennifer J Case  
Printed Name

1-13-2025  
Date

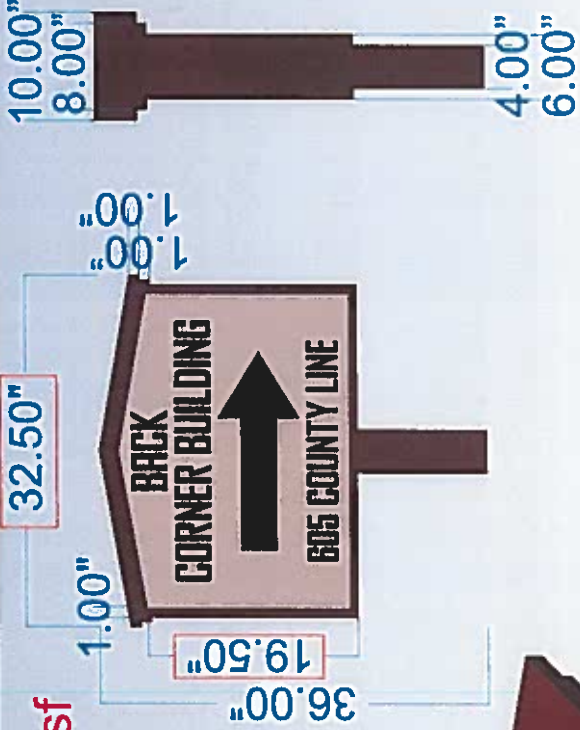
**TOWN OFFICE USE ONLY**  
Scheduled PC meeting date: \_\_\_\_\_

# SCALED SITE PLAN

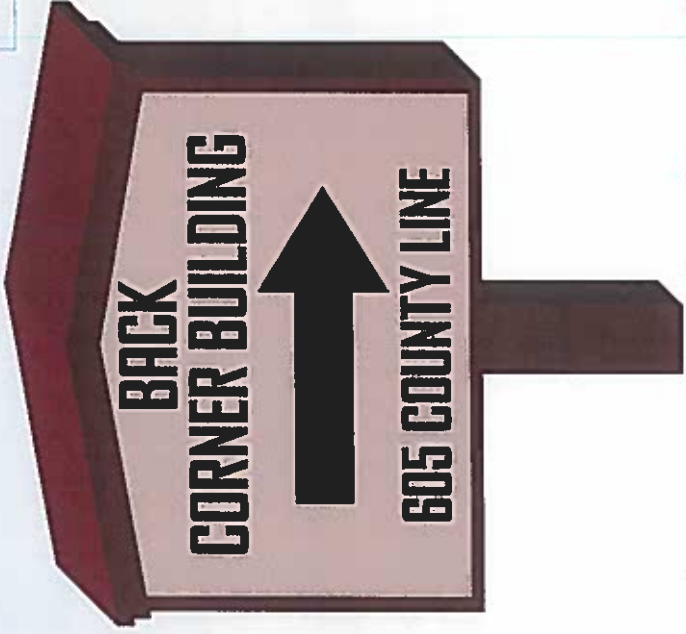


Frontage  Sq Ft Allowed  Sq Ft Proposed  Elevation  Sign Type  Directory

19.50(h) X 32.50(w) = 4.40sf



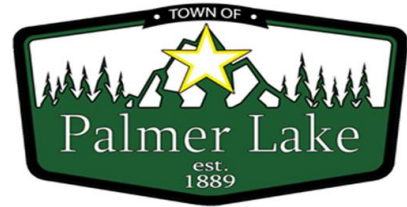
- Materials
- Aluminum Square Tube Frame
  - 1"x10" Aluminum RectTube Topper(Upper)
  - 1"x8" Aluminum RectTube Topper(Upper)
  - 1" Aluminum Frame To Mount Panels
  - .080" Aluminum Panels
  - 3M 3630-22 Black Vinyl
  - Frame Painted To Match Building Roof
  - Topper Painted To Match Building Roof
  - Panels Painted To Match Building
  - Pole Painted To Match Building



\*Client to provide vector artwork final production. \*Final signed approval is required.  
 \*Artwork is for general reference only. It is an approximation of scale and placement. Lmt0000 Nest:00 Wt:00 Pct:00

3505 E Platte Avenue		Colorado Springs, Colorado 80909		719-573-1567	
Customer Information		Job Location		Revisions	
Back Corner Building		605 County Line Monument, CO		This design is the exclusive property of Sign Shop Illuminated, LLC and any reproduction or other use is strictly prohibited. All rights reserved.	
Project # 241346-02		80132		Page 1 / 1	
UL Listed		UL		Drawing by Taylor JF	
				Date 12/20/2024	





Item 8.

**TOWN OF PALMER LAKE  
PLANNING COMMISSION - AGENDA MEMO**

<b>DATE:</b> February 2025	<b>ITEM NO.</b>	<b>SUBJECT:</b> Town Three Mile Plan Map, Text Amendment and Future Land Use Map for Community Master Plan
<b>Presented by:</b> Town Administrator /Clerk		

**Background**

The purpose of the Three Mile Plan, which is also found in its entirety in the recently adopted 2022 Community Master Plan is to satisfy the requirements of Section 31-12-105(1) (e), C.R.S. This statute limits municipal annexations to no more than “three miles in any direction from any point of such municipal boundary in any one year.” Contiguity as required by Section 31-12-104(1)(a), C.R.S. may be achieved by annexing a platted street or alley, a public or private right-of-way, a public or private transportation right-of-way or area, or a lake, reservoir, stream, or other natural or artificial waterway. The three-mile limit may be exceeded if it would divide a property held in identical ownership if at least 50% of the property is within the three-mile limit.”

The adoption of the Three Mile Plan does not imply that all land within the area shown on the Three Mile Plan map will or should be annexed. Palmer Lake’s Three Mile Plan defines areas adjacent to but outside of Palmer Lake, that Palmer Lake would *consider* annexing if able to provide centralized services, especially in cases where another jurisdiction could not.

As a result of the recent attention to the Town Three Mile Plan map, a particular Douglas County landowner has requested the town remove private property from the Three Mile Plan map. Additionally, the UCC property is disconnected (amended as El Paso County).

The amended map, text amendment, and future land use map are enclosed for your consideration.

**Recommended Action**

Approve recommendation to adopt the amended Three Mile Plan map, text amendment, and Future Land Use map.

Date: January 27, 2025

To: Palmer Lake Planning Commission

CC: Dawn Collins, Town Administrator, Mark Morton, GMS, and Scott Krob, Town Attorney

From: Barb Cole, Executive Director, Community Matters Institute, and Mike Davenport, Community Matters Institute

RE: Update to Community Master Plan and 3-Mile Plan

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**SUMMARY.** In November of 2024, a property owner in Douglas County requested that their property be removed from the adopted 3-Mile Plan. The property is zoned agriculture and is two parcels comprised of 160 acres: one 120-acre parcel with no buildings and a 40-acre parcel with one home. Greenland Open Space surrounds the property.

Because the property has asked to be excluded from the 3-Mile Plan, the adopted Community Master Plan's Future Land Use Plan also needs to be amended.

Any change to the adopted Master Plan is a decision of the Town's Planning Commission for Statutory Towns in Colorado. As with the adoption of the Community Master Plan, we recommend that the Planning Commission send its decision to the Board of Trustees for their concurrence.

The adoption of the 3-Mile Plan requires a recommendation by the Planning Commission and adoption by the Board of Trustees pursuant to CRS 31-12-105 (1) €.

**Legal Requirement for a 3-Mile Plan- Section 31-12-105, CRS:**

"Prior to completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the proposed land uses for the area.

**Practical Considerations:**

If a property owner wants their property left out of the 3-mile plan because they have no intent of annexing, there is no downside to doing so. The property in question is currently in another County, and there is no infrastructure to serve it. Therefore, the Development Review Team sees no issue with removing it from the 3-mile Plan. If circumstances change and the property owner decides to annex, the Town can amend the 3-mile plan at that point to include their property.

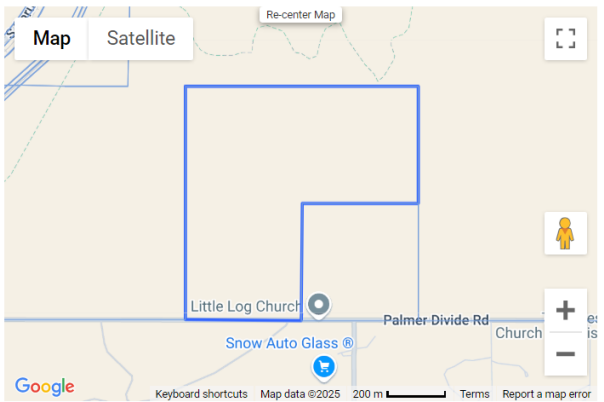
**Recommendation:** Amend both the Community Master Plan and 3-Mile Plan.

**No Address**

**Ownership Information**  
 PAULA S WHITTIER TRUST & LINDA RAE BAKER  
 PO BOX 81  
 MONUMENT, CO 80132

[View Neighborhood Sales](#)  
[View Neighborhood Information](#)

[Send us an updated photo](#)



**2023 Property Tax Relief Check Information**  
 Account Type: Agricultural  
 Location Description: N1/2SW1/4 & SW1/4SW1/4 34-10-67 120 AM/L

**Current value in process**  
 2024 Actual Value: \$5,390      2024 Tax Rate: 9.1752%  
 2024 Assessed Value: \$1,420      [2024 Est. Taxes](#)

Last Sale 02/13/1995 for \$0  
 Grantor: PAULA S WHITTIER TRUST BERTRAND CHARLES GARY BAKER LINDA RAE  
 Grantee: PAULA S WHITTIER TRUST BAKER LINDA RAE

No Buildings

Land: 120 Acres - Agricultural

9 Tax Authorities - Total Mills: 91.752

Notice of Determination, Notice of Valuation and other documents related to this property.



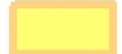



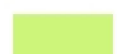


2 Notifications



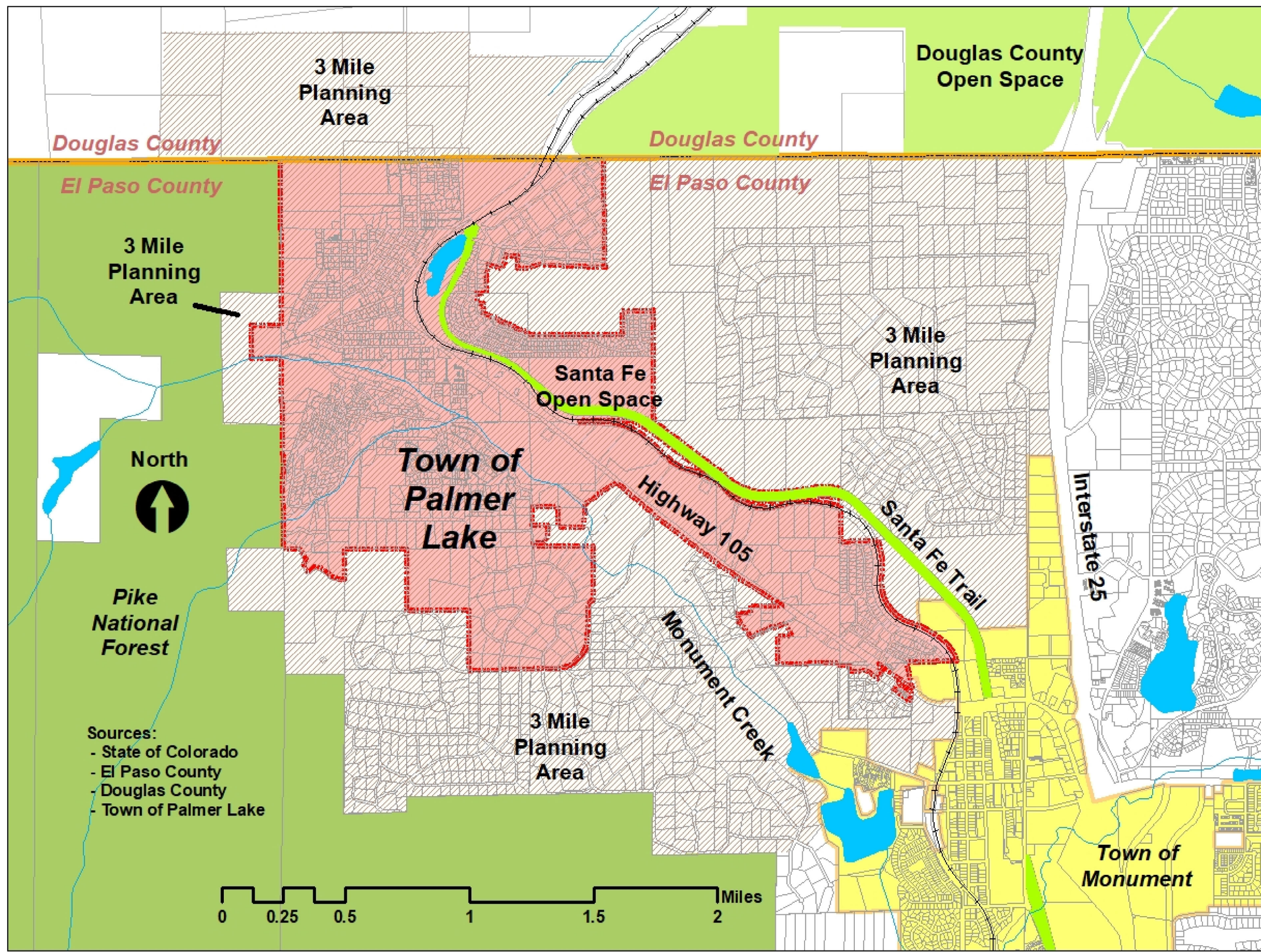
# Community Master Plan

## Three Mile Plan Map January 24, 2025

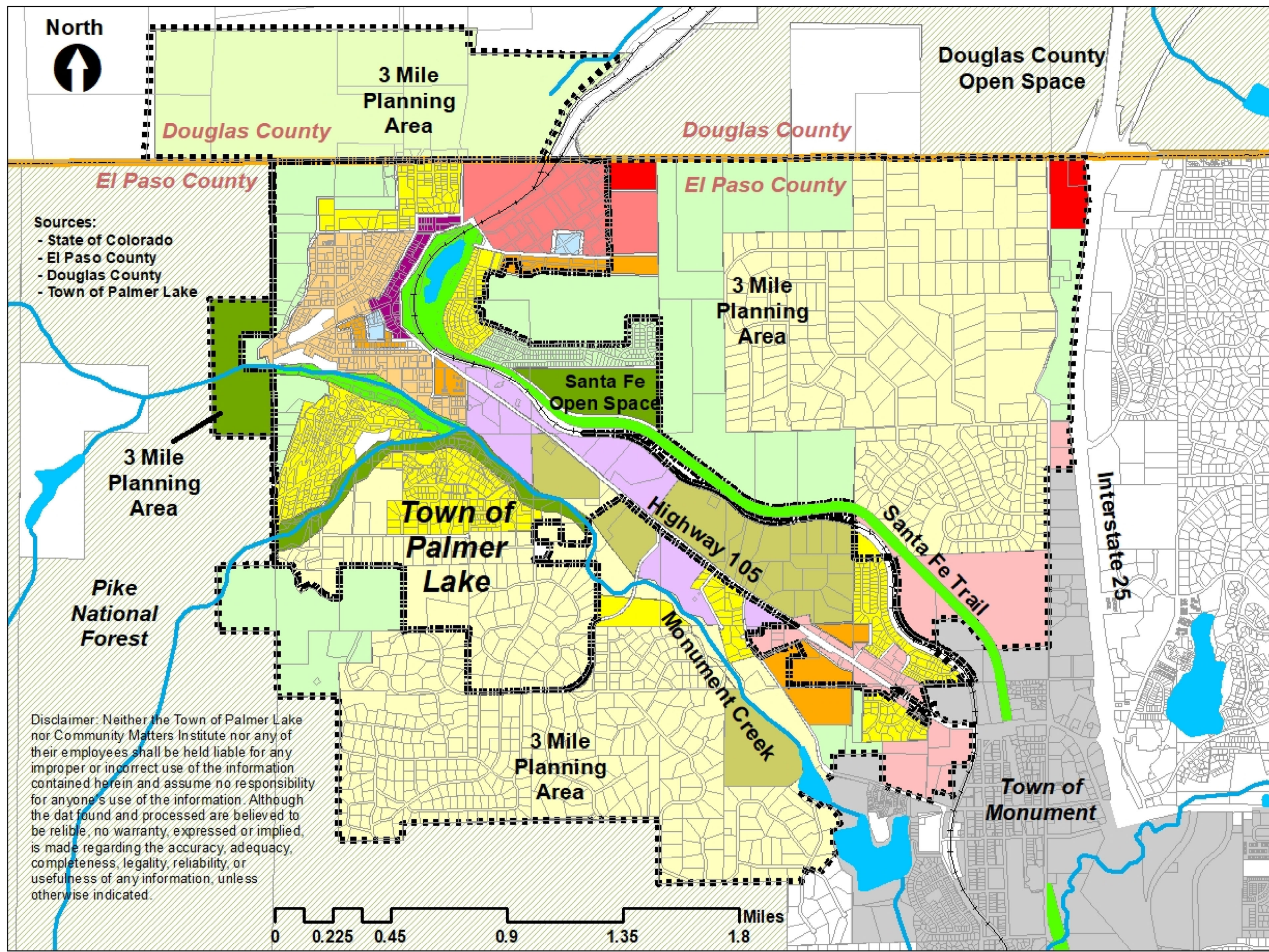
### Legend

-  Town of Palmer Lake
-  3 Mile Planning Area
-  Town of Monument
-  County Boundary
-  Santa Fe Open Space
-  Douglas County Open Space
-  Lakes
-  Streams
-  Railroad

Disclaimer: Neither the Town of Palmer Lake nor Community Matters Institute nor any of their employees shall be held liable for any improper or incorrect use of the information contained herein and assume no responsibility for anyone's use of the information. Although the data found and processed are believed to be reliable, no warranty, expressed or implied, is made regarding the accuracy, adequacy, completeness, legality, reliability, or usefulness of any information, unless otherwise indicated.



- Sources:
- State of Colorado
  - El Paso County
  - Douglas County
  - Town of Palmer Lake





# Three Mile Plan Palmer Lake Colorado

January 2025



## PALMER LAKE THREE-MILE PLAN

The purpose of this Three- Mile Plan, which is also found in its entirety in the recently adopted 2022 Community Master Plan is to satisfy the requirements of Section 31-12-105(1) (e), C.R.S. This statute limits municipal annexations to no more than “three miles in any direction from any point of such municipal boundary in any one year.” Contiguity as required by Section 31-12-104(1)(a), C.R.S. may be achieved by annexing a platted street or alley, a public or private right-of-way, a public or private transportation right-of-way or area, or a lake, reservoir, stream, or other natural or artificial waterway. The three-mile limit may be exceeded if it would divide a property held in identical ownership if at least 50% of the property is within the three-mile limit.

Palmer Lake’s Three-Mile area boundary is intended to promote a regional approach to planning, particularly concerning the availability of centralized services.

This Three-Mile Plan meets the statutory requirement of having a “plan in place” for the area outside the municipality – a required precondition to any annexation [C.R.S. § 31-12-105]. The planning area intends to ensure that development within the Town’s recognized annexation plan boundary is reviewed to determine future eligibility for annexation and to ensure it connects to existing development logically.

Colorado law also requires counties to inform municipalities of any development planned within two miles of a municipality’s corporate boundary. This established Three-Mile Plan allows the Town or its citizens to comment on new development on its periphery and fosters an intergovernmental approach to addressing growth where services might be shared, and regional and local plans respected.

The adoption of the Three-Mile Plan does not imply that all land within the area shown on the Three-Mile Plan map will or should be annexed. Palmer Lake’s Three-Mile Plan defines areas adjacent to but outside of Palmer Lake, that Palmer Lake would consider annexing if able to provide centralized services, especially in cases where another jurisdiction could not.

The Three-Mile Plan is land that is likely to be subject to increased development pressure and does not need to encompass all three miles. The Palmer Lake Three-Mile Plan does not extend three miles in all directions because the Town of Monument is adjacent to Palmer Lake’s southern municipal limits and the Pike National Forest borders Palmer Lake’s western boundary.

## STATUTORY REQUIREMENT FOR THE THREE-MILE PLAN

The information required for a Three-Mile Plan is relatively simple and follows much of the same information outlined in the C.R.S for a ‘master plan,’ which was recently updated as of August 10, 2022. *“The plan must generally describe the proposed location, character, and extent of the following and be updated at least annually<sup>1</sup>.”*

1. *Subways, and bridges:* There are none within the designated area.
2. *Waterways, and waterfronts:* The Environmental Hazards Map identifies lakes, streams, flood plain, and groundwater recharge areas.
3. *Parkways, playgrounds, squares, parks:* The Parks, Trails, and Open Space Map shows existing parks, recreational facilities, trails, open spaces, and national forest within the Three-Mile Plan area.

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<sup>1</sup> *Italicized text* is from C.R.S. 31-23-206.Master plan. (Effective until August 10, 2022)



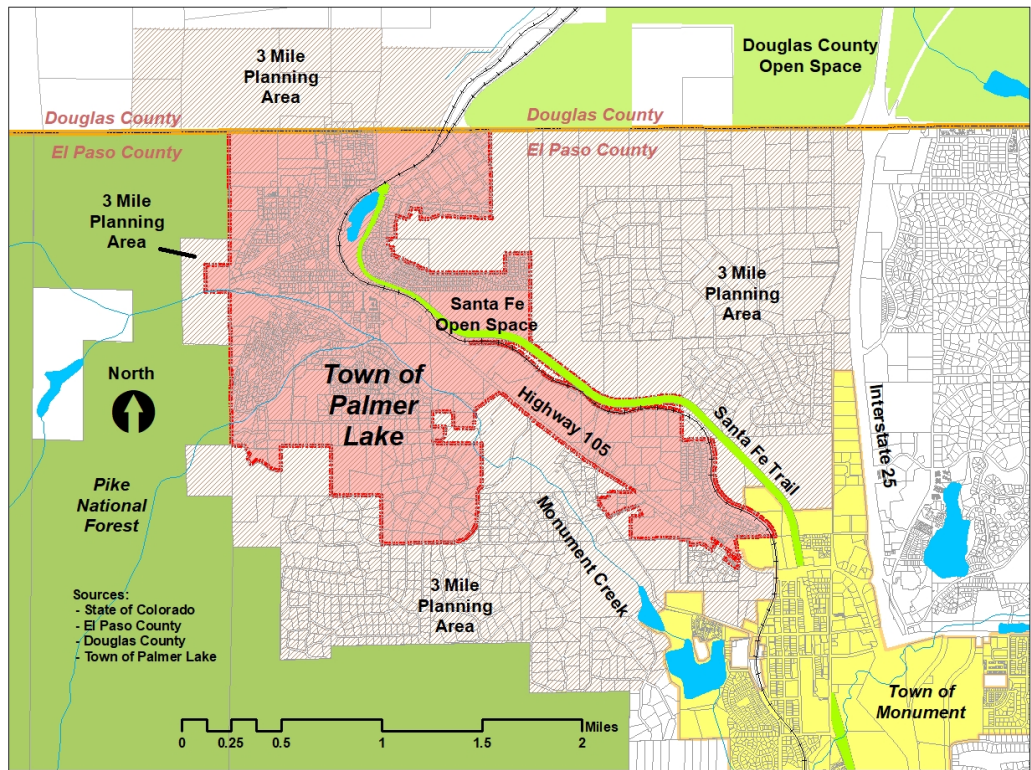
4. *Aviation fields: There are none within the designated area*
5. *Other public ways, grounds, and open spaces:* These are shown on the Parks, Trails, and Open Space Map and include the Greenland Open Space Area along County Line Road in Douglas County.
6. *Public utilities:* Public utilities include common carriers that provide electric, gas, water, sanitation, telecommunication, internet, and cable. The Town of Palmer Lake and the area included in Palmer Lake’s Three-Mile Plan are served by the following entities:
  - Electric: Core Electric Cooperative (CORE) District 3 except for a portion of land adjacent to I-25.
  - Natural Gas: Black Hills Energy.
  - Water: Provided by the Town of Palmer Lake unless on private residential wells.
  - Sanitation: Sewer is provided by Palmer Lake Sanitation District (PLSD) or private septic.
  - Other Special and Metropolitan districts in the Three-Mile planning area: A variety of districts provide water and/or sanitary sewer service and can be found on the Community Master Plan Map titled Districts: Water, Sewer, & Metro. Existing water and sewer lines within the Town can be found on the map entitled Water and Sewer Lines.
  - Cable and Internet: Services are available through Comcast/Xfinity, Force Broadband, and Century Link.
7. Terminals for water, light, sanitation, transportation, and power to be provided by the municipality [not such utilities provided by others]. See above.





# THREE-MILE PLAN: ANNEXATION CONSIDERATIONS

The Three Mile Plan Area Map indicates areas that are eligible for annexation. The Future Land Use Map (see below) also informs the type of land uses desired for lands within in the Three- Mile Plan. The full description of future land uses can be found in Chapter 5 of the October 2022 Community Master Plan. This chapter should be reviewed as part of any annexation request. Annexations should conform to the Future Land Use Plan



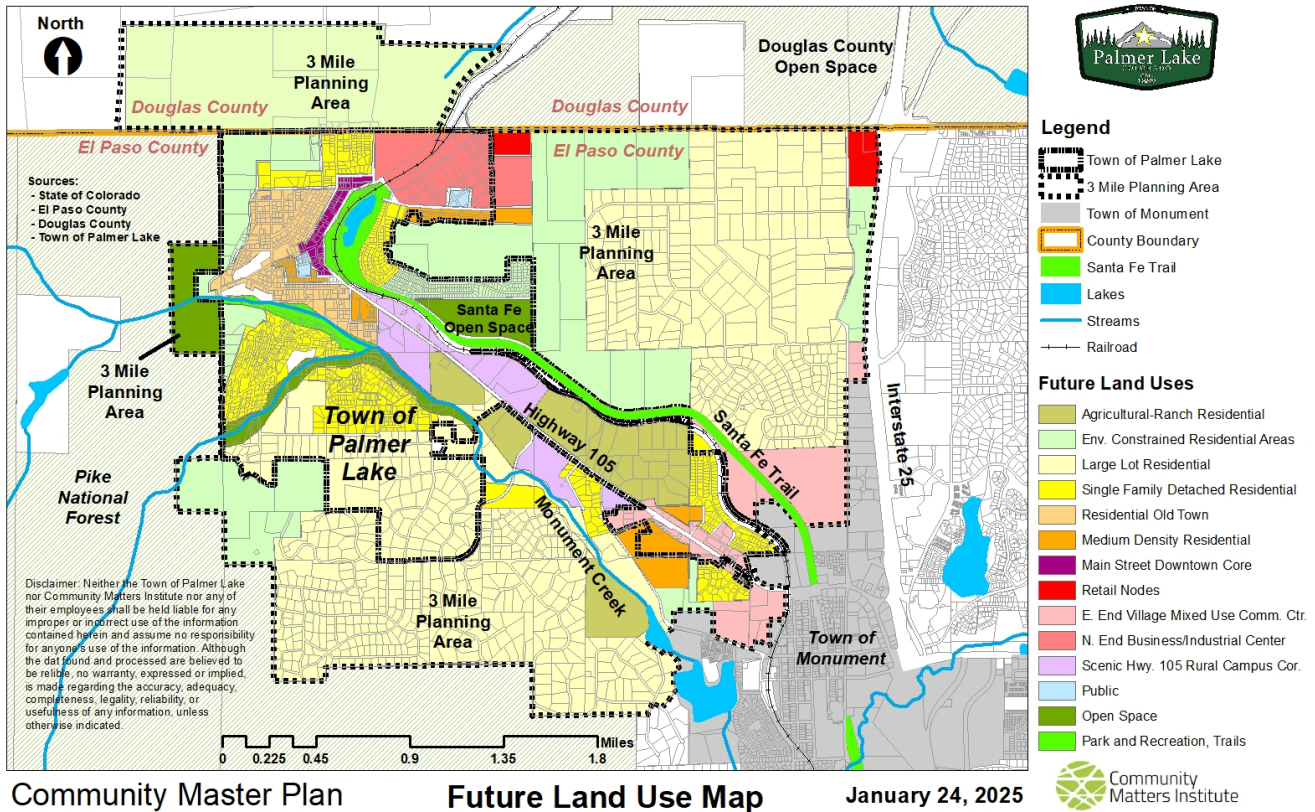
**Community Master Plan**  
Three Mile Plan Map  
January 24, 2025

### Legend

- Town of Palmer Lake
- 3 Mile Planning Area
- Town of Monument
- County Boundary
- Santa Fe Open Space
- Douglas County Open Space
- Lakes
- Streams
- Railroad

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## POLICIES TO ENSURE REGIONAL LAND USE & UTILITY COORDINATION

- 1) The Town of Palmer Lake’s Three-Mile boundary illustrates lands that the Town of Palmer Lake is willing to consider for annexation if approached by a property owner.
- 2) The Town of Palmer Lake will work with the Town of Monument, El Paso County, and Douglas County to enter into Intergovernmental Agreements (IGAs) specifically outlining Palmer Lake's intentions and preferences for the development of those areas within the Palmer Lake growth area boundary. Each IGA should outline what areas of northern El Paso County require urban levels of service and should consider entering into a “binding annexation agreement” to prevent the proliferation of new special or metropolitan districts.
- 3) The Town of Palmer Lake requires that any new subdivision or single lot development adhere to the 2022 Community Master Plan as a condition of annexation.
- 4) Metropolitan and special districts within the Three-Mile Area boundary are allowed only as a financing tool of last resort. The Town wants to minimize the proliferation of these districts so that when annexation does occur, there are no additional independent districts within the Town limits or Three-Mile Plan boundary. To this end, the Town will work with the county to adopt regulations that ensure independent infrastructure systems connect to the Town’s infrastructure system.
- 5) All land within the officially recognized Palmer Lake Three-Mile Area will be considered for annexation into the Town of Palmer Lake if the applicant can demonstrate a net economic benefit to the Town and current Palmer Lake residents.



- 6) Land that is eligible for annexation into the Town of Palmer Lake and is of a density that requires centralized services will be discouraged from developing within the unincorporated portion of the County. If the Town cannot serve the proposed development at the time a land development application is submitted, the applicant should be required to enter into a pre-annexation agreement with the Town of Palmer Lake.
- 7) The Town of Palmer Lake in cooperation with El Paso County should formally recognize and adopt an IGA that provides further clarity about growth within Palmer Lake’s Three-Mile planning area.

## ANNEXATION GUIDELINES

The following Annexation Guidelines will help the Town of Palmer Lake consider new annexations. The Planning Commission and Town Board of Trustees could consider referring to the Colorado Municipal League's (CML) “Annexation in Colorado Handbook” 1991 Edition, as amended, or the recent summary of annexation law from CML<sup>2</sup> to include:

- 1) Does the Annexation meet all the requirements of the Colorado Municipal Annexation Act and its amendments along with the adopted Town of Palmer Lake criteria? Is the land proposed for annexation contiguous to other lands in the Town that is already receiving Town services?
- 2) Is there an accurate map of the proposed annexation that includes all street rights of way and connections to the existing street system, location of current and proposed boundaries, location of utilities that the annexation will connect to, proposed land uses, and zoning requests?
- 3) Has the applicant substantially adhered to the Town of Palmer Lake’s adopted Community Master Plan?
- 4) Has the applicant prepared a thorough annexation impact report for parcels over ten acres in size that meets the requirements of C.R.S. 31-12-108.5?
- 5) Has Town Staff prepared a list of benefits and liabilities the proposed annexation would provide for the Town of Palmer Lake (qualitative analysis)?
- 6) Are the financial benefits and costs to the taxpayers of the Town of Palmer Lake and the annexing area clearly defined? What are the near-term fiscal benefits before vertical development? What are the long-term fiscal benefits of build-out? (The quantitative analysis should include but not be limited to the impact on the Town’s General Fund, operational funds such as the Water Fund, as well as any Capital Funds.)
- 7) How will the area be serviced? Does the annexation clearly indicate the following:
  - a. Public water and sanitation line capacity
  - b. Public wastewater treatment capacity
  - c. Public water treatment capacity
  - d. Public raw water capacity and water supply as required by El Paso County and the State of Colorado

<sup>2</sup> [https://www.cml.org/docs/default-source/uploadedfiles/events/annual-conference/conference-presentations/annexation-in-colorado.pdf?sfvrsn=6efd6133\\_2](https://www.cml.org/docs/default-source/uploadedfiles/events/annual-conference/conference-presentations/annexation-in-colorado.pdf?sfvrsn=6efd6133_2)



- e. Minimum acceptable water pressure
  - f. Avoidance of flood-prone areas
- 8) Does the land use application provide for the type and variety of land uses that are consistent with the recommended overall land use patterns as depicted on the Palmer Lake Future Land Use Plan found in the 2022 Community Master Plan?
  - 9) Is there an annexation agreement that satisfactorily addresses land use, transportation, and servicing requirements?
  - 10) Does the residential annexation request include public land dedication requirements so that adequate open space, parkland, and public facility sites (schools, police, fire, and maintenance) are secured?
  - 11) Is there an acceptable draft annexation agreement or pre-annexation agreement that strives to minimize the short- and long-term costs of providing community services and facilities for the sole benefit of the annexed area?
  - 12) How much development can ultimately occur if the land is annexed to the Town?

## BASIC PRINCIPLES OF ANNEXATION

### ANNEXATION CAN TAKE PLACE IN THREE WAYS

1. Landowner petition signed by more than 50% of the landowners [Colo. Const. Art. II Sec30(1)(b)] owning more than 50% of the land C.R.S. 31-12-107(1). (The petition is a contractual relationship that can be memorialized in an agreement.)
2. Annexation election, in which only landowners and registered electors in the area may vote. [ Colo. Const. Art. II Sec. 30(1)(b); C.R.S. 31-12-107(2).] Note: a few municipalities require an election for all annexations.
3. Unilateral annexation by a municipality of an enclave or municipally owned land: C.R.S. 31-12-106. [Palmer Lake could annex the small parcel at the south end of the Town.]

“Landowner” means the owner in fee of the surface estate, not the owner of the mineral estate if severed. C.R.S. 31-12-103(6).

### ONE-SIXTH BOUNDARY CONTIGUITY

1. One-sixth boundary contiguity must exist between the municipality and property to be annexed: C.R.S. 31-12-104(1)(a).
2. Configuration of the parcel to be annexed is not relevant to review.
3. Roads, water bodies, and most government lands may be “skipped over” for purposes of establishing the required contiguity.
4. Existence of contiguity satisfies the "community of interest" requirement of C.R.S. 31-12-104(1)(b).

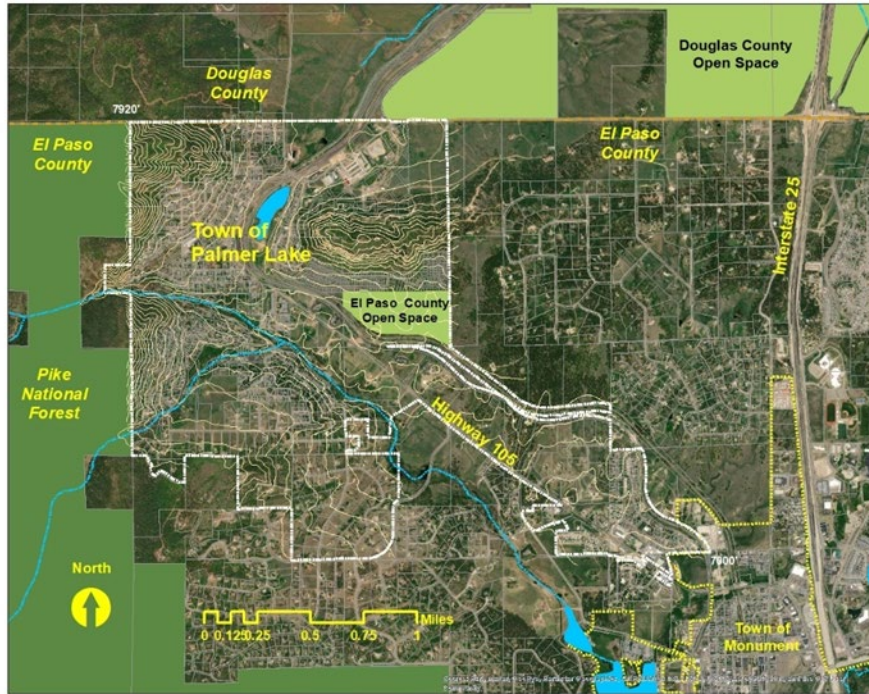


5. Prior noncontiguous annexations render subsequent annexations relying upon those annexations void ab initio. C.R.S. 31-12-104(2).
6. Establishing eligibility:
  - Series/simultaneous annexation of streets, rights-of-way, etc. permitted: C.R.S. 31-12-104(1)(a); 105(1)(e).
  - No division of property held in "identical ownership," without landowner consent unless separated by a "dedicated street, road or other public way"
  - Written consent is also required to annex 20 acres or more in identical ownership valued in excess of \$200,000. C.R.S. 31-12-105(1) (a & b).
  - No annexation of property for which annexation proceedings have been initiated by another municipality. C.R.S. 31-12-105(1)(c).
  - No annexation which will detach property from a school district without the written consent of the district. C.R.S. 31-12-105(1)(d).
  - No annexation to expand municipal boundaries greater than three miles in "any one year." C.R.S. 31-12-105(1)(e)(I).
  - Three-Mile plan required. C.R.S. 31-12-105(1)(e)(I).
  - Flagpole annexations must permit annexation of abutting property "under the same or substantially similar terms and conditions." C.R.S. 31-12-105(1)(e)(II).
  - If annexing a portion of a street or alley, must annex the entire width. C.R.S. 31-12-105(1)(f).
  - Annexation shall not deny reasonable access to landowners, easement owners, or franchise owners adjoining a platted street or alley that has been annexed and is not bounded on both sides by the municipality. C.R.S. 31-12-105(1)(g).
  - Power of attorney not sufficient for annexation election. C.R.S. 31-12-105(1) (h).
  - Most annexations have unique and greater requirements for providing public notice.

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## ANNEXATION IMPACT REPORT

- Required for annexations over 10 acres, unless waived by the board of county commissioners. C.R.S. 31-12-108.5.
- Some statutory towns that we have worked with have adopted a 5-acre requirement.
- Often, the County does not respond to the notice it is sent.



Community Master Plan Topography October 12, 2022

- Legend: 40 foot vertical contour interval, Streams, Lakes, Town of Palmer Lake Boundary, Town of Monument Boundary, Open Space, Pike National Forest

Sources: - Town of Palmer Lake, - Town of Monument, - GMS, Inc., Consulting Engineers, - El Paso County, - Douglas County, - Colorado Department of Transportation, United States Geological Survey



THREE-MILE PLAN LEGAL CONSIDERATIONS

- 1. No annexation may have the effect of extending a municipal boundary more than three miles in any one year. [See, Town of Berthoud v. Town of Johnstown, 983 P.2d 174 (Colo.App.1999)] "Year" is defined as a "calendar year." [C.R.S. 2-4-107]
2. As a precondition to the final adoption of an annexation ordinance within the three-mile area outside of the present municipal boundaries, the municipality must have in place a plan for that area, like a comprehensive or master plan.
3. The statute does not require that the Three-Mile plan be adopted before submission of an annexation petition; instead, it must be in place "prior to completion of any annexation within the three-mile area. . ."; thus, prior to final action on the annexation ordinance and recording with the clerk and recorder under C.R.S. 31-12-113(2).

ANNEXATION CONSIDERATIONS

- 1. Unlike zoning and subdivision applications, a petition for annexation is not a quasi-judicial matter for the municipality. The municipality does not have to approve an annexation.
2. As shown on the attached planning area map, Monument is at your southern border.<sup>3</sup>

<sup>3</sup> The Monument website does show the adopted Three-Mile Plan as well as all annexations from 2003- 2017.



- a. Several citizens and Palmer Lake Trustees and Planning Commissioners have voiced concern about Monument simply annexing Palmer Lake. Legally this would be extremely difficult to do because it requires a 2/3rd vote of the people to dissolve the municipality.<sup>4</sup>
- b. Look at possible strategic annexations that would prevent Monument from growing further north along lands that Palmer Lake could annex.
3. Larkspur’s Planning Area boundary extends to the County line. It is unlikely that Larkspur would annex across the county line during the lifespan of this Master Plan. However, be mindful that in 1983, the Monument Comprehensive Plan envisioned NO development east of I-25. Open Space acquisitions also make further annexation to the south unlikely.
4. There are many areas within the Three-Mile area that are not eligible for annexation. This includes the Town of Monument and Pike National Forest.
5. Flagpole Annexations. If there is a fiscal benefit, nearby municipalities including those that are more than three miles away might consider a flagpole annexation.
  - a. “...not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality.”
  - b. C.R.S. 31-12-104(1)(a). • C.R.S. 31-12-104(1)(a) was amended in 1987 to confirm as legitimate the longstanding practice of annexing one or more parcels in a series, considered simultaneously, to annex property that, taken as a whole, does not have the requisite one-sixth contiguity.
  - c. Within the defined Three-Mile area, the contiguity required by Section 31-12-104(1)(a) may be achieved by annexing a platted street or alley, a public or private right of way, a public or private transportation right-of-way or area (i.e., the RR ROW), or a lake, reservoir, stream, or other natural or artificial waterways.”
  - d. C.R.S. 31-12-105(1)(e). Often a street is used to serve as the “pole” to reach, and thus annex, the desirable “flag” of property. However, it is required that the municipality also annex the “pole,” and offer annexation to any properties abutting the pole.
  - e. In Palmer Lake, both 105 and the RR ROW could serve as a means to annex property that has a clear fiscal benefit. This could be accomplished by any of the area municipalities. (See planning area map.)
6. Annexation agreements are critical.
  - a. An annexation agreement is a contract.

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<sup>4</sup> State law outlines the process for how a home rule or statutory city may discontinue its incorporation. The proceedings for discontinuance of incorporation begin when a petition for discontinuance is filed with the district court of the county where the municipality exists. The petition must be signed by at least 25 percent of the registered electors of the municipality.

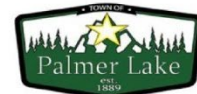
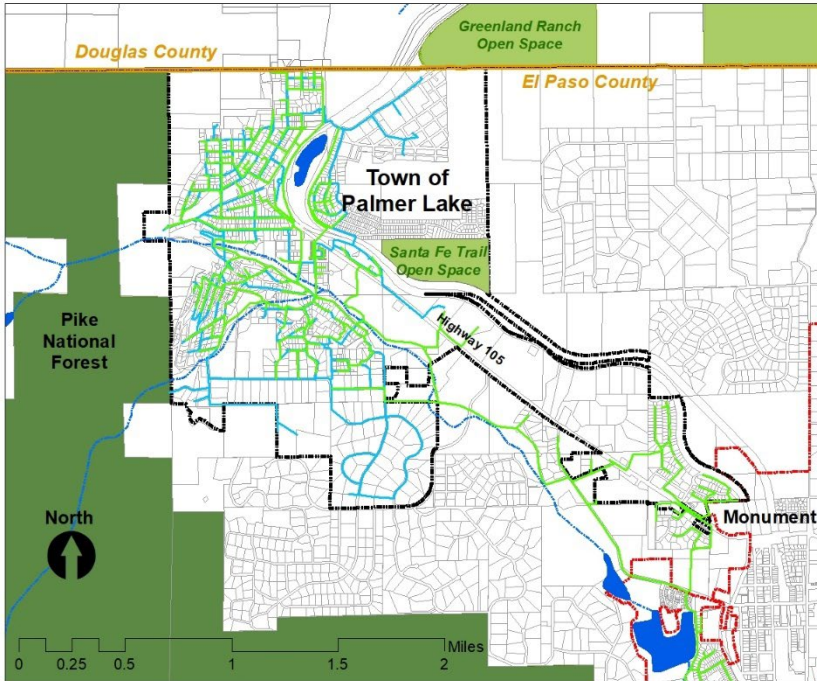
*(Footnote is continued at the bottom of the following page.)*

Upon verification of the petition, the court will notify the electors of the municipality of a vote at the next regular election on whether or not to discontinue the incorporation of the municipality. At least two-thirds of the electorate must vote to discontinue incorporation.



- b. Example developer/annexor obligations: dedicate and improve roads, install water and sewer lines, pay fees for water rights and transmission.
- c. Example municipal obligations: provide water and sanitary sewer service.

7. Fiscal benefits are analyzed at the time a petition is filed.



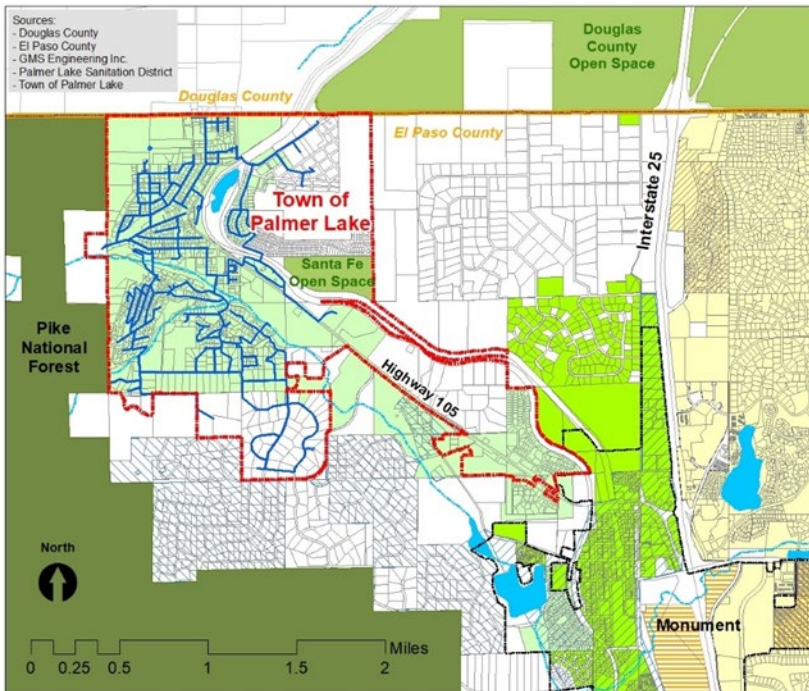
Community Master Plan  
Water & Sewer Lines Map  
October 12, 2022

- Legend**
- PLSD Sewer Main
  - PL Water Main
  - Streams
  - Lakes
  - Town of Palmer Lake Boundary
  - Town of Monument Boundary
  - Open Space
  - Pike National Forest

Sources:

- Town of Palmer Lake
- GMS, Inc., Consulting Engineers
- El Paso County
- Douglas County
- State of Colorado

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Sources:

- Douglas County
- El Paso County
- GMS Engineering Inc.
- Palmer Lake Sanitation District
- Town of Palmer Lake



Community Master Plan  
Districts: Water, Sewer, Metro  
October 12, 2022

- Legend**
- Town of Palmer Lake Boundary
  - Town of Monument Boundary
  - Palmer Lake water mains
- Water Districts**
- Forest View Acres Water District
  - Monument Water District
- Sanitation Districts**
- Monument Sanitation District
  - Palmer Lake Sanitation District
- Metropolitan Districts**
- Misty Acres MD
  - Triview MD
  - Village Center MD
- Water & Sewer Districts**
- Woodmoor SWD

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