

**Flying Horse North (Cont. from p1)**  
not in general conformity with the Master Plan for the county, did not meet the stated purposes of Chapter 4, Section 4.2.6 of the El Paso County Land Development Code, the subject property was not suitable for the intended uses nor harmonious with the character of the surrounding area and neighboring community, and the proposed development will overburden the capacities of existing or planned road, utilities, and other public facilities including police and fire services, and water and sanitation.

Terry Stokka, representing the Friends of the Black Forest Preservation Plan (FOBFPP), reported after the Dec. 13 hearing that about a dozen neighbors spoke in opposition to the proposal, almost all against the proposed Stagecoach Road intersection at State Highway 83. District 1 Commissioner Darryl Glenn also voiced strong opposition because of traffic safety issues at that intersection,

where Highway 83 is only two lanes wide and has very short sight distance.

Two neighbors submitted petitions in favor of the rezoning. One was David Wismer, owner of Shamrock Ranch, which sold the land to the applicant. Wismer supported the rezoning but strongly objected to Stagecoach Road becoming an arterial road instead of a collector. The other supporter was the Donald Wescott Fire Protection District (DWFPD), which has its Shamrock Station 2 at the corner of Highway 83 and Stagecoach Road. Note: DWFPD will lose over half of its current district and property tax revenue in the next two years and might need to limit operations on some days from Station 2 starting this month. See related DWFPD article on page 18.

About 50 residents and the High Forest Ranch Home Owners Association Board of Directors had sent comments against the rezoning to the Planning and Community Development Department before the hearing. Their concerns in-

cluded increased traffic on Highway 83, which could now exceed 1,500 trips per day. They objected to the applicant's request for an exemption to established traffic norms.

An official finding of sufficiency regarding quality, quantity, and dependability of water is not required at the zoning stage of development. BOCC will make the final decision on the adequacy and reliability of the planned supplementary water lease contract based in part on the Colorado State Engineer's water supply analysis. However, neighbors who testified did voice many concerns about the anticipated future strain on the already-depleting Dawson Aquifer by this influx of an 18-hole golf course and 283 homes.

The BOCC resolution said that some of the water indicated as a supply for the development is not owned by the applicant but is leased by the applicant from the State Board of Land Commissioners. The lease depends upon an annual payment to the State Board coupled with a fee for the amount pumped. Staff concerns resulted in a recommended condition of approval stating that the State Board can terminate the applicant's right to possession of the leased water if the applicant does not comply with the covenants, conditions, and requirements of the lease. Because of this risk of default, the applicant will have to provide assurances of an alternative viable water source prior to the approval of the preliminary plan.

The first four of the 13 proposed development phases include:

- Phase 1 – Pave Stagecoach Road from Highway 83 to the 35 lots in the center south of the High Forest Ranch development. East of there, Stagecoach will be a gravel emer-

gency access and construction road that will be extended to Black Forest Road. Possible golf course grading.

- Phase 2 – Pave eastern stub of Stagecoach Road at Black Forest Road. Build eight lots west of that intersection.
- Phase 3 – Land north and east of Wescott Fire Station 2 is platted for about 30 lots immediately adjacent to High Forest Ranch. Access to State Highway 83 is controlled by the Colorado Department of Transportation, so improvements to State Highway 83 will be required then. The golf course should open during this phase.
- Phase 4 – Complete paving Stagecoach Road from Highway 83 to Black Forest Road. Build five more lots near the west side of the development.

The BOCC resolution did not agree with any of the objections stated by the Planning Commission or the neighbors. First, Glenn made a motion to deny the application, but this failed by a vote of 1-4, with Commissioners Sallie Clark, Dennis Hisey, Peggy Littleton, and Mark Waller opposed.

Then Hisey made a motion to approve the rezoning request, including all conditions and notations and the three additional recommendations, one added notation, an early grading permit, and two modifications. It was approved 4-1, with Glenn opposed.

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See <http://bcc.elpasoco.com/Pages/default.aspx> for minutes and recordings of past meetings and future agendas.

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