2024

1/25 Report

Ads for hire are posted this week for replacement of the Accounting Clerk position and a f/t Public Works Equipment Operator. Applications will be accepted for approximately 3 weeks with a first review of applications the week of Feb-19.

Results of the asbestos testing at ER came in. We are soliciting quotes for abatement in the 6 cabins (ceiling and trim) and the long building (flooring). That information will come back to the Board.

Multiple broken windows - town hall kitchen and library - require repair/replacement. Estimates will be solicited.

Hard surface flooring is completed – Chief Vanderpool provide update?

Workshop – consider a joint workshop with BOT/PC to hear a pre-application concept proposing annexation at the south portion of the town – would like to schedule it Wed., 2/7 at 5p. Ok?



Meggan Herington, AICP, Executive Director
El Paso County Planning & Community Development
O: 719-520-6300
MegganHerington@elpasoco.com
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Board of County Commissioners Holly Williams, District 1 Carrie Geitner, District 2 Stan VanderWerf, District 3 Longinos Gonzalez, Jr., District 4 Cami Bremer, District 5

January 25, 2024

Dawn A. Collins, CMC Town Administrator/Clerk Town of Palmer Lake 42 Valley Crescent PO Box 208 Palmer Lake, CO 80133

Ms. Collins,

As part of the annexation process, the State Statute requires the annexing municipality to submit an annexation impact report or impact report waiver to the Board of County Commissioners (BoCC). The role of the Board is to either approve the waiver or acknowledge the annexation impact report. The County received the Ben Lomand Mountain Annexation notice on January 2, 2024. The notice stated a hearing for consideration of the annexation to be held on January 25. With the pending annexation hearing, County staff scheduled the annexation impact report before the BoCC on Tuesday, January 23. County staff briefed the BoCC on what we know of the annexation and gave them several options; to waive the report and direct staff to continue to work with the Town staff or wait for the annexation impact report and present additional details on the annexation back to the BoCC.

At the Board of County Commissioners hearing on January 23, the BoCC voted to deny a waiver of the impact report submittal requirement and directed staff to bring the annexation impact report back to them once received from the Town. They also asked that County staff appear at the Town Trustees' hearing to summarize the outcome of the BoCC meeting and put their recommendations on record. It is important for the BoCC to follow the established process and provide transparency to the public.

With that the BoCC has the following input:

- The BoCC requested the annexation impact report from the Town come back to them for an acknowledgement before the Town Council makes a final decision. This is in keeping with State Statute requirements. Once received, county staff will review the document and provide another summary to the BoCC at a future meeting.
- There are a few major studies typically submitted to the County through the land development process that were not part of the Town process. Those are a traffic study and a drainage study. The BoCC requests the impact report mention the need for a traffic study and the commitment to review that study by the county and CDOT. A drainage should accompany future subdivision, and we also request a review of that document.
- BoCC would like commitment to ongoing discussion between town staff and county staff on the long-term ownership and maintenance of county line road and access to the new development.



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- A commitment that the future development will be sent to the county for review and comment before any
 plats for the new subdivision are recorded. This is standard practice amongst the local municipalities. The
 county sends development requests within 2 miles of neighboring jurisdictions and vice versa.
- Parks protection for Ben Lomad mountain and a connecting trail to mountain access to the nearby open space.
- Confirmation that the Town had adequate services to support the 181+ acres.

Various review agencies also provided comments on the annexation. Those comments include letters from Colorado Department of Transportation (CDOT) and El Paso County Parks. All the comments are attached.

Town staff has been great to work with and we look forward to a future meeting to work through the annexation details.

Sincerely,

Meggan Herington, AICP

Executive Director of Planning and Community Development

El Paso County



Meggan Herington, AICP, Executive Director El Paso County Planning & Community Development O: 719-520-6300 MegganHerington@elpasoco.com

2880 International Circle, Suite 110
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COMMENTS FROM EL PASO COUNTY ENGINEERING AND COUNTY ENGINEER

General:

Traffic:

- 1. Maintenance of County Line Road within this annexation area will be the responsibility of the Town.
- 2. Maintenance of County Line Road east of the annexation area to I-25 should be taken by the Town, and that right-of-way should be annexed as well, when possible.
- 3. Any maintenance agreement(s) between El Paso County and Douglas County for these segments of County Line Road should be transferred to the Town of Palmer Lake.

Drainage:

1. Drainage isn't anticipated to be a major issue with the 2.5-acre lots proposed. The north part of the property almost entirely flows north to County Line Road. The southwest part of the annexation area flows southwest toward the Town of Palmer Lake through two or three unincorporated properties that could be affected; attention to the subdivision design will be required at that time.

Reviewed by: Jeff Rice jeffrice@elpasoco.com Region 2 Permits 5615 Wills Blvd, Suite A Pueblo, CO 81008-2349

January 4, 2024

I-25 / County Line Rd.-Palmer Divide Rd. El Paso County / Town of Palmer Lake

Kari Parsons, Project Manager/Planner E. P. C. Planning & Community Development 2880 International Circle Colorado Springs, CO 80910

RE: ANX241 - Ben Lomand Mountain Village - Annex and Rezone

Dear Kari,

I am in receipt of a referral request for comments for the Annexation and Rezone for the Ben Loman Mountain Village (ANX241). The development or proposed annexation consists of +/- 344.50-acers with a Rezone (RE Estate Property) aspect to provide single family dwellings and accessory as permitted on a minimum lot size of 2.5-acers with additional developments under conditional uses for education, foster homes, churches and synagogues, parks private stables, day care, group homes and open spaces. The properties are located approximately 1-mile west of the I-25/Palmer Divide Interchange adjacent to County Line Rd. also known as Palmer Divide Rd. west of Indi Drive and north of Lakeview Heights subdivision east of Oakdale Dr. in portions of Sections 3, 4 & 5, Township 11 South, Range 67 West of the 6th P.M., within El Paso County, Colorado. After review of all documentation, we have the following comments:

CDOT Staff does not have any comments regarding the Annexation or Rezone of the Lomand Mountain Village. However, preliminary staff comments are provided below.

Traffic

There was not a Traffic Impact Study (TIS) provided for review at this time. CDOT is requesting a Traffic Impact Study to detail the impacts to the I-25/Palmer Divide-County Line Rd Interchange.

Access

This development may impact CDOT infrastructure via I-25/County Line Rd.-Palmer Divide Rd. west. My comment follows:

- Section 1.4(1) of the State Highway Access Code, states in part that no person, shall
 construct any access providing direct vehicular movement to or from any state highway from
 or to property in close proximity or abutting a state highway without an access permit
 issued by the designated issuing authority with the written approval of the Department.
- Under Section 2.6 (Change in Land Use and Access Use) of the State Highway Access Code, states the requirements of a new access permit. It states in part that if any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume increases by 20% and or vehicle type, the permittee or property



- owner will coordinates with the local authority and the Department to determine if a new access permit and modifications to the access are required.
- A CDOT Access Permit of Palmer Divide/I-25 Interchange may be required for this
 development. Please provide a Traffic Impact Study to determine if the traffic volume
 increase is greater than 20% for the defined land uses and densities.
- Interchange roadway improvements or Escrow dollars may be required or collected per the CDOT Access Code requirements and results of the TiS review.

Additionally,

- On-premise and off-premise signing shall comply with the current Colorado Outdoor
 Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to
 outdoor advertising. Please contact Mr. Gabe Martinez at (719) 251-7830 for any questions
 regarding advertising devices.
- Any utility work within the state highway right of way will require a utility permit from the CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Martinez.

Please contact me in Pueblo at (719) 546-5732 or by email arthur.gonzales@state.co.us with any questions.

Sincerely,

Arthur Gonzales

CDOT R2 - Access Manager

Xc: /file





COMMISSIONERS: CAMI BREMER (CHAIR) CARRIE GEITNER (VICE -CHAIR)

COLORADO

HOLLY WILLIAMS STAN VANDERWERF LONGINOS GONZALEZ, JR.

DEPARTMENT OF PARKS AND COMMUNITY SERVICES

January 18, 2024

Justin Kilgore
Project Manager
El Paso County Development Services Department
2880 International Circle
Colorado Springs, CO 80910

Subject: Town of Palmer Lake / Ben Lomand Mountain Annexation (ANX-24-001)

Hello Justin,

The Parks Planning Division of the Parks and Community Services Department has reviewed the Town of Palmer Lake / Ben Lomand Mountain Annexation application and has the following comments on behalf of El Paso County Parks. The Palmer Lake / Ben Lomand Mountain Annexation is located northeast of the Town of Palmer Lake, between County Line Road and Ben Lomand Mountain itself. The applicant proposes an annexation of approximately 181 acres of a proposed 344.5-acre residential development known as Ben Lomand Mountain Village. A large portion of this proposed residential development already lies within the Town of Palmer Lake.

The 2022 El Paso County Parks Master Plan shows impacts to the proposed Ben Lomand Mountain Secondary Regional Trail (see attached map), which winds its way around Ben Lomand Mountain from El Paso County Parks' Santa Fe Open Space in the south to the northernmost extension of the New Santa Fe Regional Trail. Santa Fe Open Space is located approximately 470 feet south of the proposed development, while the New Santa Fe Regional Trail is located both south and west of the project site. The annexation portion of this application has very minimal impact on the Ben Lomand Mountain Regional Trail, although a small section may enter the southwestern-most corner of the site, dependent on final trail alignment.

The 2022 El Paso County Parks Master Plan includes an update to the Candidate Open Space Areas, utilizing a weighted overlay of numerous natural and man-made attributes (see attached maps) which contribute to strong candidate open space areas. Ben Lomand Mountain Village, as well as the annexation area to a lesser extent, falls completely within the bounds of the updated Ben Lomand Mountain Candidate Open Space Area. As demonstrated on the attached Candidate Open Space maps, the Ben Lomand Mountain Candidate Open Space area possesses high open space values. The Master Plan offers the following explanation in regard to the open space values found here:

"These regionally significant landmarks are located near Palmer Lake along State Highway 105. Elephant Rock is an isolated cluster of cap rock that extends off Ben Lomond Mountain, standing above the surrounding pines like a castle ruin. The overall landscape is very scenic. The higher portions of Ben Lomond Mountain are a series of cliff faces that have shed huge blocks of rock lying along the lower slopes. Ponderosa pine and scrub oak blend into an extensive and gently sloping meadow that meets the base of the mountain and emphasizes its abrupt rise. Protection of this area would preserve two notable landmarks and a critical backdrop to the popular Palmer Lake Recreation Area. The area is also traversed by the New Santa Fe Trail and it represents one of the more scenic settings along the trail. However, the meadows and flanks of the mountain face imminent development that may preclude the exploration of protection options unless discussions begin immediately. As a natural area, development of facilities would be minimal and access controlled to protect sensitive areas and steep slopes. Future trail connections could also be made that would link the area to existing Forest Service trails up nearby canyons to the west. The result could be a trail through land managed by the Forest Service, El Paso County and other jurisdictions."

The applicant's Letter of Intent states the following in regard to dedicated open space in Ben Lomand Mountain Village:

- "The southwestern portion of the Property is undeveloped land which includes Ben Lomand Mountain consisting of steep topography, heavy forest, and rock ledges and outcroppings. From the southern property line, the mountain slopes upward from south to north to a sharp ridgeline. The ridgeline runs in the eastwest direction and has a dirt, fire access road graded along the top of ridge. From this ridge line, Ben Lomand Mountain falls sharply to the north to a grass valley floor located in the northern half of the property. A large portion of Ben Lomand Mountain is envisioned to remain in its natural state with the future development."
- "Open Space: A large portion of Ben Lomand Mountain is envisioned to remain in its natural state. The future
 development on the property will maintain a large portion of significant open space consisting of the
 southwestern portion of the Property which includes Ben Lomand Mountain consisting of steep topography,
 heavy forest, and rock ledges and outcroppings."

El Paso County Parks staff recommends that the applicant work closely with the Town of Palmer Lake to establish a longstanding publicly accessible open space on the southern, western, and northwestern slopes of Ben Lomand Mountain. A quasigovernmental agency or non-profit conservation organization could help to establish ownership and oversight guidelines to allow this property to remain accessible to the public in perpetuity and provide public access from the New Santa Fe Regional Trail and Santa Fe Open Space on the mountain's southern slopes. Ben Lomand Mountain remains as one of the last remaining undisturbed and most recognizable landmarks in northern El Paso County.

Staff also recommends that the applicant provide a 25'-50' wide public trail easement on the southern, western, and northwestern slopes of Ben Lomand Mountain for the construction and continued maintenance of the Ben Lomand Mountain Secondary Regional Trail, and to designate and provide the easement on forthcoming preliminary plans and final plats. The final alignment of this trail will be determined at a future date pending the final approval of this annexation request, as well as the submittal of preliminary plan and final plat applications.

These comments are being provided administratively, as the Park Advisory Board is not required to endorsed annexation requests.

Sincerely,

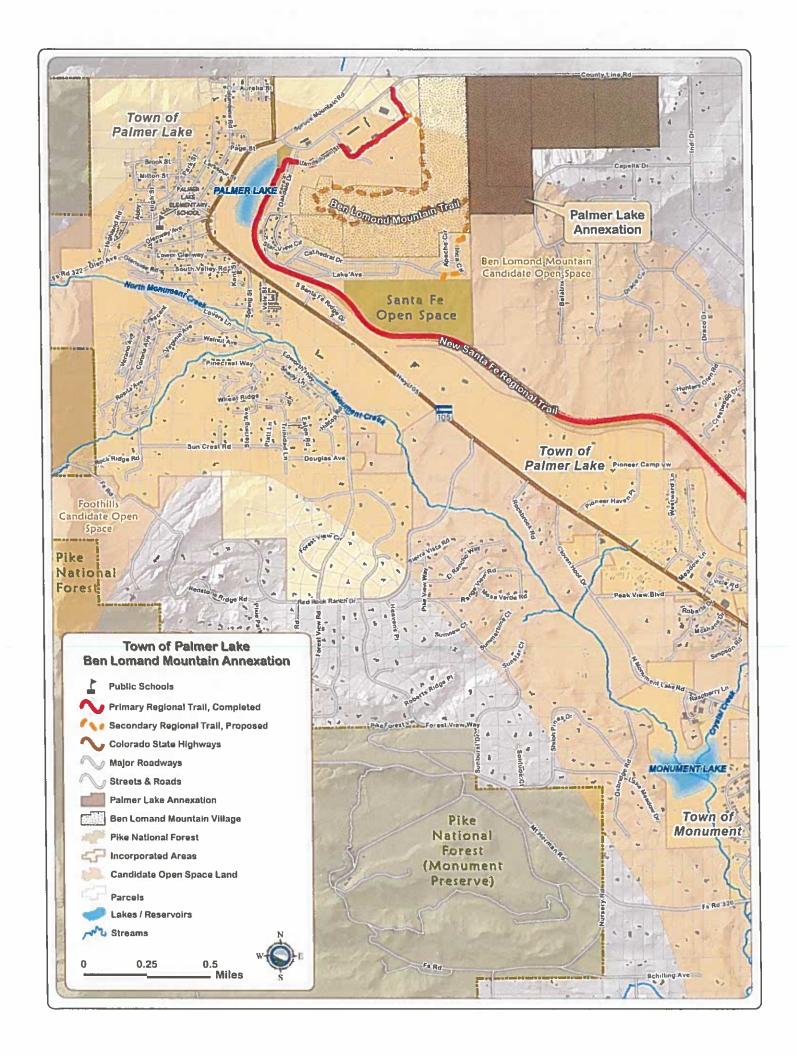
Ross A. Williams Park Planner

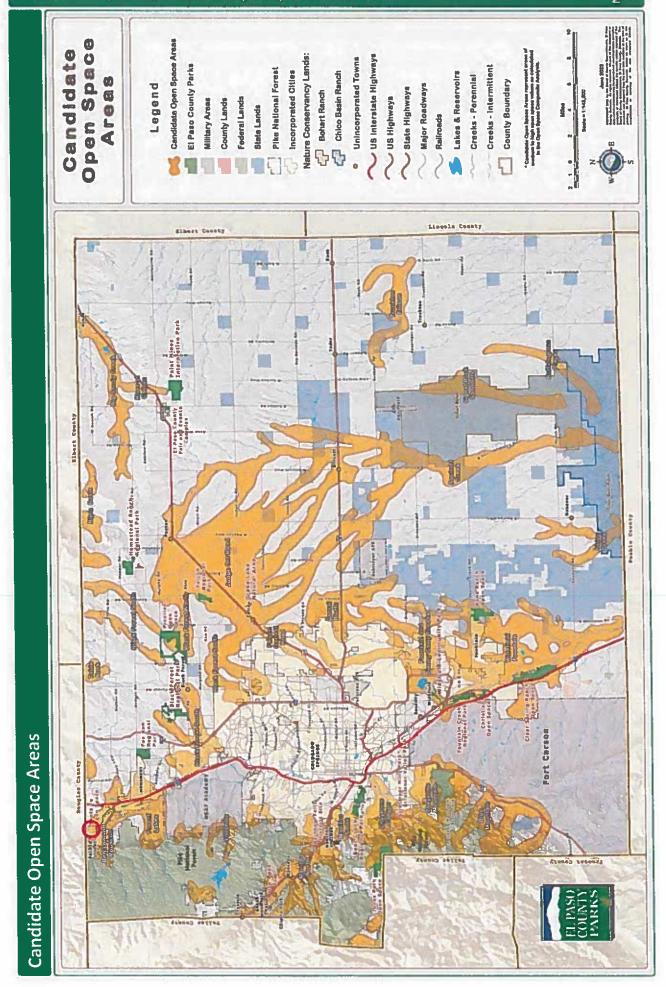
Parks Planning Division

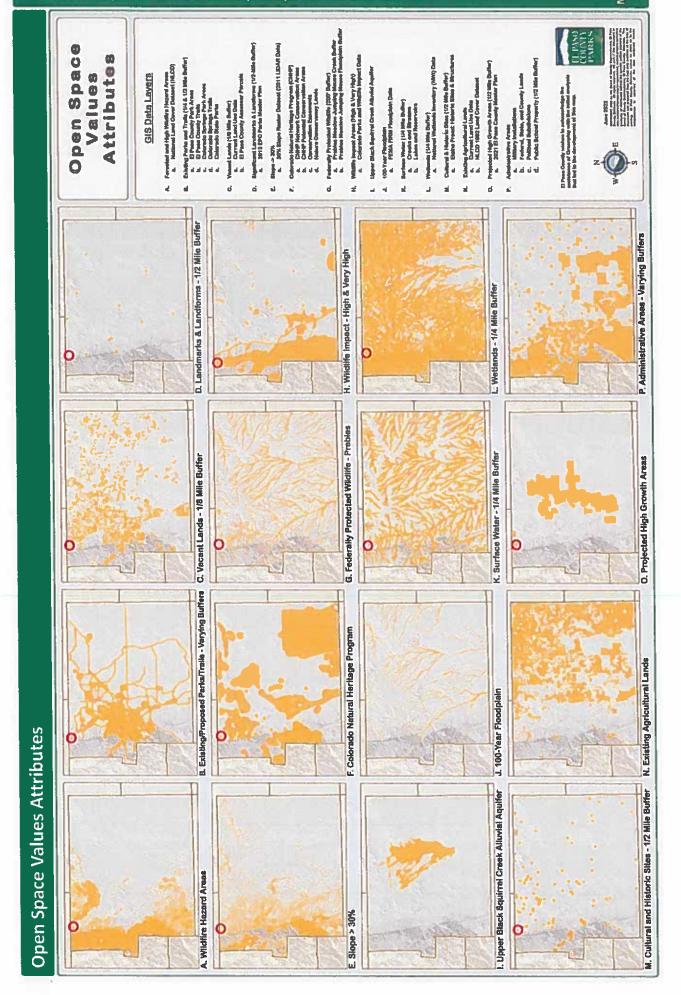
Parks and Community Services Department

rosswilliams@elpasoco.com









Dawn Collins

Subject:

FW: Web Contact Form: Annexation and development of Countyline Rd. Property on

north side of Ben Lomand

Importance:

High

From: Palmer Lake <palmerlake-co@municodeweb.com>

Sent: Thursday, January 25, 2024 4:06 PM To: Tish Torweihe < tish@palmer-lake.org>

Subject: RE: Web Contact Form: Annexation and development of Countyline Rd. Property on north side of Ben Lomand

-------WARNING: This email originated from outside the Town of Palmer Lake. DO NOT CLICK on any attachments or links from unknown senders or unexpected emails. Always check the sender's display name and email address are correct before you communicate,------

Submitted on Thursday, January 25, 2024 - 4:06pm

Submitted by anonymous user: 198.57.5.82

Submitted values are:

First Name Linda
Last Name Elliott

Email lindaselliott@hotmail.com

Subject Annexation and development of Countyline Rd. Property on north side of Ben Lomand Question/Comment

Please do not allow rezoning of the property on Countyline property to 2.5 acre lots which would result in more houses-all using water we won't have in the future. Before any development takes place, please hire an unbiased, independent water expert to determine if there will be an adequate water supply for this all future developments. To allow these developers to build unchecked without being absolutely sure we will have enough water for the future would be grossly irresponsible. We must be sure of adequate water for our children, grandchildren and great grandchildren. I am not able to attend most meetings but watch on the livestream when I can. This is probably too late to have presented to the BOT for the Jan. 25 meeting but please get into them. Thank you

The results of this submission may be viewed at:

https://www.townofpalmerlake.com/node/7/submission/4151

Dawn Collins

From:

Christi Birkeland

Sent:

Wednesday, January 24, 2024 11:57 AM

To:

Dawn Collins
Tish Torweihe

Cc: Subject:

FW: Annexation of United Congregational Church Property

Dawn, The letter below came in to info@ for the BOT.

Christi

From: Karen Maves < karenmaves2@gmail.com > Sent: Wednesday, January 24, 2024 11:43 AM

To: Info <info@palmer-lake.org>

Subject: Annexation of United Congregational Church Property

------WARNING: This email originated from outside the Town of Palmer Lake. DO NOT CLICK on any attachments or links from unknown senders or unexpected emails. Always check the sender's display name and email address are correct before you communicate.-----

January 24, 2024

Palmer Lake Board of Trustees 42 Valley Crescent PO Box 208 Palmer Lake, CO. 80133

Dear members of the Palmer Lake Board of Trustees,

I am writing to express my concerns about the development of the United Congregational Church Property off County Line Road. I am out of state at this time and unable to attend the Board of Trustees meeting on January 25, 2024. This property was discussed by the Palmer Lake Planning Commission at the meeting on January 17, 2024 and their conclusion was to recommend annexation of the 345 acres with rezoning from current 5 acre lots to 80 lots 2.5 acres in size. This recommendation was made in spite of the fact that many neighbors expressed concerns about the lack of background information regarding the effects this potential development will have on our existing community.

The questions raised by neighbors include:

<u>Water supply</u>: These 80 homes will be on private wells. From which aquifer will they draw? How will this affect the water supply for those of us already in the neighborhood? Are 80 homes on 2.5 acre lots are too great a strain on the water supply? Would 40 homes on 5 acre lots (consistent with the current zoning) or 20 homes on 10 acre lots be a more acceptable option?

<u>Traffic safety:</u> This division would have 2 access points onto County Line Road, drastically increasing traffic along this road. The intersection at Indi Road and County Line is already dangerous as the hill makes it

impossible to see traffic speeding from the west. It has previously been the scene of a fatal accident. What can be done to improve safety at this corner? The developer also stated that there would need to be emergency access from Capella Road in the case County Line Rd. was blocked. Capella is a poorly maintained, narrow, seal coat road with a very steep hill. It simply cannot safely support the additional traffic that would be associated with this development. How would this access be limited to emergencies rather than general use?

Environmental impact: Will the developer preserve Ben Lomand Mountain in its natural state as they suggest in their proposal? Much of it has been previously characterized as "unbuildable or difficult to build". Yet, already 30+ foot wide "fire access roads" (including a cul de sac) have been cut along the ridge. If the mountain top is developed, what impact will there be on our wildlife, dark skies, potential for wild fires, noise and dust pollution in the area? Please help protect these beautiful natural resources!

<u>Services:</u> Palmer Lake Elementary is reportedly 58 students under full capacity. How will additional students be accommodated? Who supplies police and fire protection for this development?

The developer who spoke at the PLPC meeting was unable to address these concerns stating no "master plan" has been created and no traffic, water, or environmental impact studies have been undertaken. The Commissioners stated this information would be gathered <u>after</u> the land was annexed. This seems backwards to us, much like giving a teenager a muscle car with no restrictions or curfew. We fear it will not end well.

I understand that a property owner has the right to develop their own land. However, we hope for a responsible, well thought out plan that will satisfy the owner and serve to enhance our community rather than act as a detriment to the neighbors.

Thank you for your consideration.

Respectfully,

Karen K. Maves, M.D. 20060 Capella Drive Monument, CO. 80132

Dawn Collins

To:

Glant Havenar; Dennis Stern; Sam Padgett; Jessica Farr; Shana Ball; Kevin Dreher; Nick

Ehrhardt

Cc:

scott@kroblaw.com

Subject:

FW: Ben Lomand Property Annexation

FYI

From: Scott Schnake <<u>schnakes@gmail.com</u>>
Sent: Wednesday, January 24, 2024 10:49 PM

To: Info <info@palmer-lake.org>

Subject: Ben Lomand Property Annexation

------WARNING: This email originated from outside the Town of Palmer Lake. DO NOT CLICK on any attachments or links from unknown senders or unexpected emails. Always check the sender's display name and email address are correct before you communicate.-----

Hello,

I would like to express my concerns over the Ben Lomand Property annexation and rezoning application, as a landowner just off Indi Drive. The applicant seems to be trying to push this through with little planning and very little transparency, intends to utilize significant amounts of non-renewable groundwater from over apportioned shallow aquifers, and makes no guarantees or offers to improve community resources for the town, the county, or nearby property owners, despite the significant impact this increase in development density would have on everyone nearby.

There has been no transparency on this process for nearby residents. No signs were placed on adjacent major roads to the properties included in the proposal, and I only heard about this second meeting regarding this proposal from a neighbor of mine. This is a significant change (more than doubling density of homes allowed on this land). The current rural zoning of the majority of the property (RR-5) does not allow independently occupied accessory dwelling units (only mother in law suites or guest suites, which cannot be rented out), but the applicant does not show transparency by detailing that the proposed zoning would allow accessory dwelling units on top of halving the required acreage per parcel. That means that the overall density could be 4 times that of the current zoning allowance.

With the town already largely dependent on groundwater as a water source, this Annexation (with a large amount of new homes that would be on individual wells) would prevent the town from collecting tap fees and meter revenue as a method of seeking a renewable future water source. There is no mention in the applicants letter of intent regarding planned water uses - new wells in the over apportioned upper Dawson aquifer are only allowed indoor water by default, however the applicant may have intent to seek outdoor watering rights. Although the applicant states that they will utilize water rights inherent to the property, the letter does not give any information on what those rights would be used for or where they believe the water rights come from. No apparent historical use of the property prior to current development appear to guarantee them any surface water usage rights.

The applicants letter suggests several times that several resources are intended to be maintained (e.g. keeping the ridge native, keeping significant amounts of unchanged vegetation, and including potential trails or open space). However, the applicant carefully words this without making any actual commitments. Stating an intent is not binding, but the town needs to specify quantitative requirements as a condition of annexation, rezoning, and subdivision. This area is lacking in connectivity to nearby county and town resources - County Line Road is not walkable or bike-able for the majority of

users (with the exception of avid cyclists). Very narrow shoulders, steep side slopes, lack of multimodal facilities, and insufficient stopping sight distance make County Line an unsafe roadway for any users other than vehicles. However, the nearby town and regional facilities (Paamer Lake, the Greenland / Spruce Mountain Open space, Santa Fe Trail) are all key multimodal facilities. Trail construction along the side of County Line Rd, and a new parking lot on the north side of County Line Rd at the trail head, should be required by the town - this would also serve as a benefit to the development.

Numerous studies should be performed to verify that this increase in development density will not negatively impact nearby property owners, nearby water users, and the county and town road networks. Ground water impact studies, traffic studies, pedestrian accessibility planning, master planning for the area, and visual impact studies should be required as part of the Annexation and rezoning application. Additionally, fire mitigation and continuing certification as a Fire Wise community in this area (as well as providing support to adjacent areas in seeking certification) should be required; however, fire mitigation and wildfire potential are not listed even as a consideration by the applicant.

The Annexation intent letter is overly simplified. It is also erroneous, in that it lists IREA (which does not exist) as the electric provider (actual provider is CORE). I believe all these reasons should provide the town reason to pause and require more information from the applicant prior to final consideration.

Thank you,
Scott Schnake
2620 Bricker Rd (also known as 20255 Indi Drive)

SYNOPSIS

JANAURY 23, 2024

304 HIGHWAY 105, PALMER LAKE, COLORADO. 80133 DBA-TRI-LAKE CENTER FOR THE ARTS

- October 21, 2021. Fire inspection conducted during normal business hours; report emailed to Michael Madox (Mr. Maddox) on October 24, 2021. The fire department was denied entry to the Southeast portion of the building.
- November 11, 2021. Email from J. Vincent to Mr. Maddox requesting a copy of Certificate of Occupancy.
- April 26, 2022. Email to Mr. Maddox consisting of 8 questions requesting additional information for the fire department to answer questions regarding a request for a Conditional Use Permit.
 No Response-
- May 5, 2023. The fire department was requested to conduct a fire inspection regarding the Conditional Use Permit application. The completed inspection report was sent to Mr. Maddox on May 9, 2023.
- 5. December 15, 2023. The fire department was requested to conduct a fire inspection following Board of Trustees Resolution 77-2023 approval.
- December 22, 2023. The fire department conducted a fire inspection during normal business hours. The fire department was denied entry to the Southeast portion of the building. The completed inspection report was sent to Mr. Maddox on December 22, 2023.
- 7. January 10, 2024. A virtual meeting was conducted with multiple people in attendance including Mr. Maddox and Mr. J. Cressman. During the meeting I referred to my emailed questions from April 26, 2022. An additional question I asked was plans for the building based upon the current configuration of the interior and Mr. Cressman stated "there are no plans" or words to that
- 8. January 19, 2024. The fire department received written responses from Mr. Maddox regarding the fire inspection conducted on December 22, 2023.
- January 19, 2024. J. Vincent went to TLCA to conduct a spot inspection follow-up to Mr.
 Maddox's December 22, 2023, fire inspection report during normal business hours. Follow-up
 inspection was terminated by J. Vincent prior to completion due to new information becoming
 available.

This facility should be closed to the public per IFC-2015 Section 110, [A] 1101.1 Unsafe Conditions. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure that is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.

John Vincent Fire Chief

Palmer Lake Fire Department

PALMER LAKE FIRE DEPARTMENT

INSPECTION REPORT

TRI LAKES CENTER FOR THE ARTS, 304 W 105 HWY, BLDG UNNAMED, PALMER LAKE CO 80133



DETÁILS

Inspection Date: 12/22/2023 | Inspection Type: Group A2 THRU A5 | Inspection Number: 163 | Shift: A Shift | Station: N/A | Unit: N/A | Lead Inspector: John Vincent | Other Inspectors: William Berry

VIOLATIONS AND COMPLIANCES

Showing only violations and images for this inspection. Please reach out to the lead inspector for more details. Resolved Violations: 0 | Passed Codes: 32 | Violations: 20 | N/A Codes: 51

| STATUS | CODE | DESCRIPTION |
|--------|---|--|
| FAIL | CERTIFICATE OF OCCUPANCY - Certificate of Occupancy present | Certificate of Occupancy present Inspector: John Vincent - Comments: COS has been requested and not produced. Location: Not Provided |
| FAIL | IFC 2015 1004.3 - MISCELLANEOUS | Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space and maintained by the owner. Inspector: John Vincent - Comments: Occupancy Load Not Posted Location: Not Provided |
| | | |
| FAIL | IFC 2015 1013.1 - EXITS | Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Exit sign placement shall be such that no point in an exit access corridor or exit passageway is more than 100' or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign. exp 2 Main exterior exit doors or gates that are obviously and clearly identifiable as exits need not have exit signs where approved by the fire code official. Inspector: John Vincent - Comments: None Location: Rooms other than the great room |

| STATUS | CODE | DESCRIPTION |
|--------|---------------------------|---|
| | | |
| FAIL | IFC 2015 1016.2.5 - EXITS | Egress shall not pass through kitchens, storage rooms, closets or spaces used |

for similar purposes.

Location: egress is thru 2 kitchens

Inspector: John Vincent - Comments: None

FAIL IFC 2015 403.2 - 404.3/406.2 An approved fire safety and evacuation plan shall be prepared and MISCELLANEOUS maintained. Exception: Churches less than 2000 occupant load. An approved fire safety and evacuation plan shall be prepared and maintained. The along shall be

maintained. Exception: Churches less than 2000 occupant load. An approved fire safety and evacuation plan shall be prepared and maintained. The plan shall be reviewed or updated annually. Employees shall receive training in the contents of fire safety and evacuation plans and their duties as part of new employee orientation.

Inspector: John Vincent - Comments: None observed at time of inspection

Location: Not Provided

FAIL IFC 2015 605.4 - ELECTRICAL Multiplug adapters, such as cube adapters, unfused plug strips or any other device not complying with the NFPA 70 shall be prohibited.

Inspector: John Vincent - Comments: None

Location: throughout building





STATUS

CODE

DESCRIPTION

FAIL

IFC 2015 605.5 - ELECTRICAL

Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances. Extension cords shall not be a substitute for permanent wiring.

Inspector: John Vincent - Comments: None

Location: specifically, the stage area









FAIL

IFC 2015 605.5.2 - ELECTRICAL

The ampacity of the extension cords shall not be less than the rated capacity of the portable appliance supplied by the cord.

Inspector: John Vincent - Comments: None

Location: stage area....unknown capacity

FAIL

IFC 2015 605.9 - ELECTRICAL

Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. Temporary wiring methods shall meet the applicable provisions of NFPA 70. Exception: Temporary wiring for electrical power and lighting installations is allowed during periods of construction, remodeling, repair or demolition of buildings, structures, equipment or similar activities.

Inspector: John Vincent - Comments: None

Location: multiple extension cords used throughout building







FAIL

IFC 2015 703.2 - FIRE PROTECTION

Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable. Fire door assemblies shall not be modified.

Inspector: John Vincent - Comments: None

Location: doors used to pass thru fire wall not rated.

FAIL

IFC 2015 901.6/906.2 - FIRE PROTECTION SYSTEMS

Fire extinguishers shall be serviced annually and shall have a current service tag attached.

Inspector: John Vincent - Comments: None

Location: Extinguishers expired throughout building.





STATUS

CODE

DESCRIPTION

FAIL

IFC 2015 901.6/NFPA 10 - FIRE PROTECTION SYSTEMS

Fire extinguishers shall be serviced annually and shall have a current service tag attached.

Inspector: John Vincent - Comments: None

Location: Extinguishers expired





FAIL

IFC 2015 906.5 - FIRE PROTECTION SYSTEMS

Fire extinguishers shall be located in conspicuous and readily available locations immediately available for use.

Inspector: John Vincent - Comments: None

Location: Fire extinguishers not mounted





FAIL

IFC 2015 906.6 - FIRE PROTECTIONS SYSTEMS

Portable fire extinguishers shall not be obstructed or obscured from view. In rooms or areas in which visual obstruction cannot be completely avoided, means shall be provided to indicate the location of extinguishers.

Inspector: John Vincent - Comments: None

Location: Not Provided

CODE

DESCRIPTION





FAIL

IFC 2015 906.7 - FIRE PROTECTION SYSTEMS

Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on hangers or brackets supplied.

Inspector: John Vincent - Comments: None

Location: Not Provided

FAIL

IFC 2015 907.8.5 - FIRE PROTECTION SYSTEMS

The building owner shall be responsible to maintain the fire and life safety systems in an operable condition at all times.

Inspector: John Vincent - Comments: None

Location: Not Provided

FAIL

IFC 2015 703.2 - FIRE PROTECTION

When openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing.

Inspector: John Vincent - Comments: Doors fail to close from any position.

Location: West Doors



| STATUS | CODE | DESCRIPTION |
|--------|--|---|
| FAIL | IFC2015 906.9.1/906.9.2 - FIRE PROTECTION SYSTEMS | Portable fire extinguishers having a gross weight not exceeding 40 pounds shall be installed so that its top is not more than 5' above the floor. Extinguishers having a gross weight exceeding 40 pounds shall be installed so that its top is not more than 3.5' above the floor. |
| | | Inspector: John Vincent - Comments: None |
| | | Location: Not Provided |
| FAIL | NFPA 72 5.5.2.1 - FIRE PROTECTION SYSTEMS | Smoke Detector Missing, If required and unless otherwise modified by 5.5.2.1.1 through 5.5.2.1.5, total coverage shall include all rooms, halls, storage areas, basements, attics, lofts, spaces above suspended ceilings, and other subdivisions and accessible spaces as well as the inside of all closets, elevator shafts, enclosed stairways, dumbwaiter shafts, and chutes. |
| | | Inspector: John Vincent - Comments: None |
| | | Location: No detectors present or not enough when mounted. verify proper smoke detector spacing. |
| FAIL | NFPA 72 5.7.3.2.3.1 - FIRE PROTECTION SYSTEMS | Distance Between Smoke Detectors Exceeds 30 ft. In the absence of specific performance-based design criteria, smoke detectors shall be permitted to be located using 9.1 m (30 ft) spacing. |
| | | |
| | | Inspector: John Vincent - Comments: None |
| | | Location: Not Provided |

| GENERAL NOTES | |
|------------------------------------|---|
| William Berry - 12/22/2023 @ 14:20 | Wall penetrations not sealed |
| William Berry - 12/22/2023 @ 14:21 | Wall penetrations not sealed |
| William Berry - 12/22/2023 @ 15:11 | Curtains do not have fire protective rating |

GENERAL NOTES

William Berry - 12/22/2023 @ 15:13

Curtains do not have fire protective rating

William Berry - 12/22/2023 @ 15:14

Curtains do not have fire protective rating

REINSPECTION DATE

03/10/2024

CONTACT SIGNATURE

Michael Maddox

Reason for not collecting a signature: NA

INSPECTOR SIGNATURE

John Vincent

Signed on: 12/22/2023 @ 15:16

QUESTIONS ABOUT YOUR INSPECTION?

John Vincent jvincent@palmer-lake.org No phone number available



Beyer & Associates, LLC

Tel: 303-548-9659

2679 W. Main Street, #300-723

Littleton, CO 80120

Email: Cynthia@beyerandassociates.com

Via Email

January 17, 2024

Town of Palmer Lake Planning Commission 41 Valley Crescent P.O. Box 208 Palmer Lake, CO 80133

RE: Proposed Lindo Residential Property Development – Business Item #17 Consideration of Application for Vacation of Underdeveloped Right of Way (Petite Ave.)

Dear Planning Commission:

My law firm represents Dave Sanchez, the owner of the lot located at All of Block 52, Glenn Park, Palmer Lake, Colorado (the "Sanchez Property").

We are requesting the Planning Commission do not approve the Application for Vacation of the Underdeveloped Right of Way (Petite Ave.). The right of way is the closest legal access to the Sanchez Property. The Sanchez Property is a buildable lot within the town limits of Palmer Lake. At this time, the best and most efficient access to the property has not been determined by my client.

My client has met with the Town in a pre-planning meeting with his surveyor. The Town is aware of my client's intent to have this lot be an accessible lot. Additionally, Petite Avenue provides legal access to pedestrian traffic.

Should the Planning Commission approve the vacation of Petite Avenue, the vacation would reduce the property value of the Sanchez property and in essence be a taking by the Town of Palmer Lake. My client only discovered on the evening of January 16, 2024 that the matter was set for hearing this evening. As such, my client has not been provided adequate time to prepare for this hearing.

Additionally, we believe that there is a conflict of interest for one of the Planning Commission members who lives near this area. We understand that this person has made statements to neighbors that would cause a conflict in this matter. This person needs to recuse himself from voting on the Application.

We respectfully request the Planning Commission deny this Application for Vacation or at the very least reschedule the hearing until my client has adequate time to prepare and present testimony in person regarding this matter.

Sincerely yours,

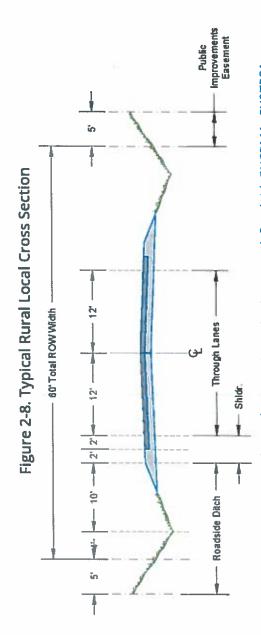
Cynthia M. Daughtrey, Esq.

Cc/ David Sanchez

| 5 | Layout Road to Achieve | The arrangement of roads should allow for economical | Distances between roads, number of r |
|---|------------------------|---|---|
| | Optimum Subdivision of | and practical patterns, shapes, and sizes of adjacent lots. | elements all have a bearing on efficien |
| | Land | Roads as a function of land use must not unduly hinder | area. Access to adjoining properties sh |
| | | the development of land. | encouraged. |

nt subdivision of an roads, and related hould also be

- ³ 50-foot right-of-way plus two 5-foot Public Improvements Easements granted to El Paso County=60′ROW
- 6. Local roadways provide direct lot access and deliver lot-generated trips to collector roadways. Although access needs are high, accesses shall not be allowed to compromise the safety, health or welfare of roadway users (See Figure 2-8).



https://library.municode.com/co/el_paso_county/codes/engineering_criteria_manual_?nodeId=ENCRMA_CH2TRFA

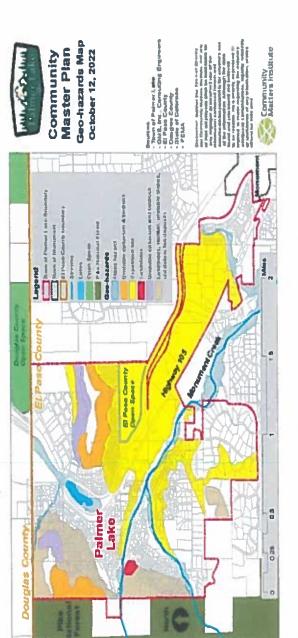
Encouraging the town to consider access to more properites than just a select few by looking at what the ROW access we have to meet current standards as close as possible.



Palmer Lake Community Master Plan-FINAL PUBLIC HEARING Version 5.0 October 24

DEVELOPMENT SUITABILITY AND CONSTRAINTS

foothills of the Front Range, Ben Lomond Mountain, and Palmer Ridge, plateaus features, designated open space, and the Pikes National Forest. Water features include the Town lake next to the downtown core, reservoirs to the west in Pike addition to the forest to the west and south, much of the Town is tree-covered There are dramatic views because of the varied topography that includes the National Forest, as well as Monument Creek and North Monument Creek. In Palmer Lake has an attractive natural setting that includes significant water to the south and east, and rolling terrain along County Line Road



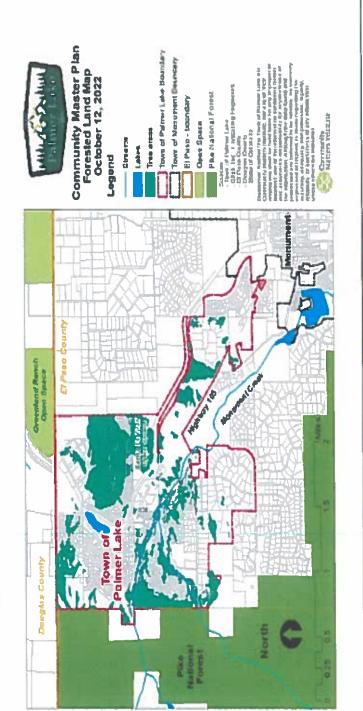
hazards map includes expansive soils, floodplains, landslides, rockfall, steep Various development constraints are shown on the following maps. The geo and unstable slopes, and old debris fan deposits. The second hazards map shows severe wildfire hazards²². Have the town match the Master Plan and be aware of the Development Suitability and Constraints of the area in question. This area is highlighted on page 44 of Master Plan in beige with the statement that Landslides, rocktail, unstable slopes and old debris fan deposits in the GEO HAZARD maps.



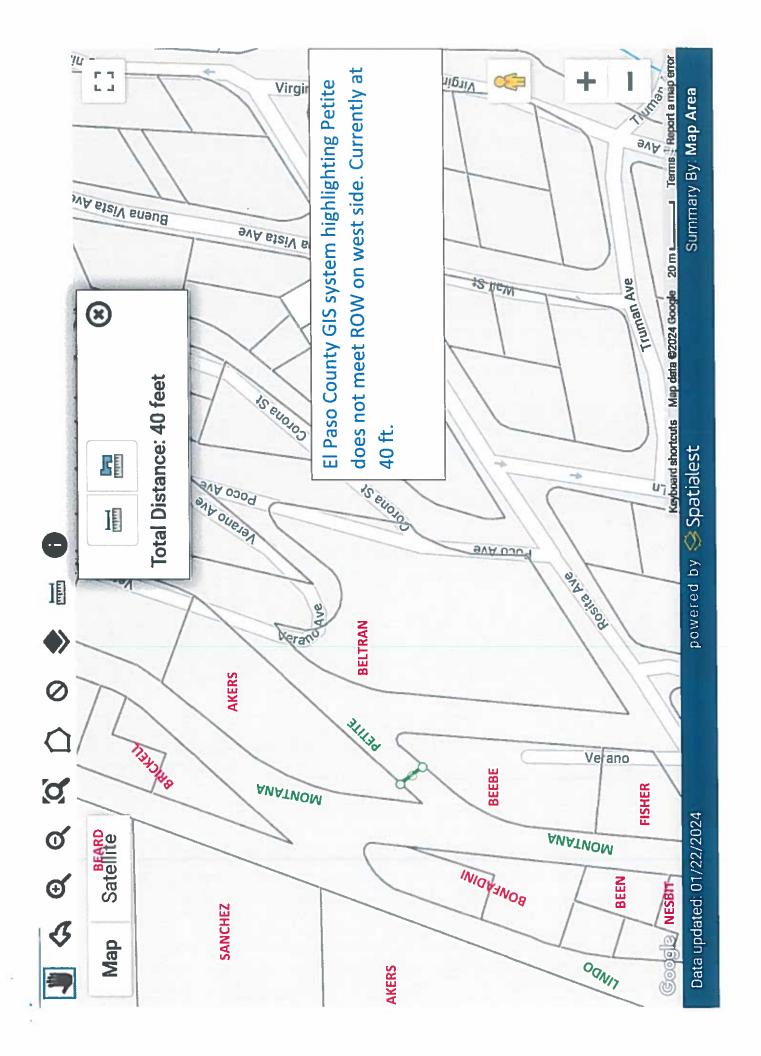
Palmer Lake Community Master Plan-FINAL PUBLIC HEARING version 5.0 October 24

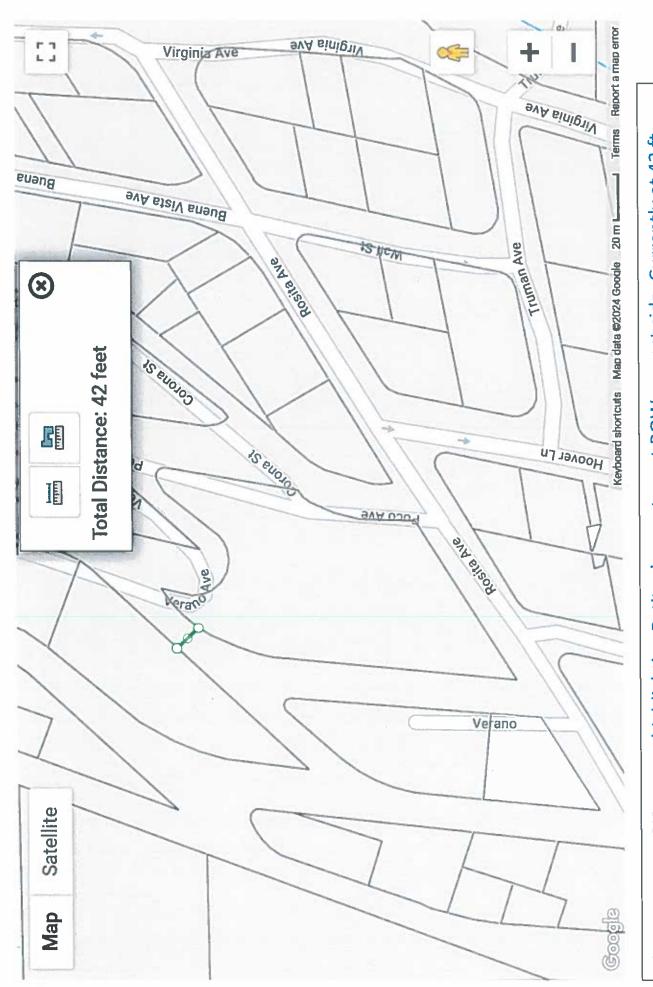
FORESTED LAND

live and/or work in the Town, and it enhances the image and property values of habitats for wildlife, microclimates, and aesthetic benefits for those people who The Town has substantial forested areas within the Town boundary. These areas are illustrated on the following map. These forested lands promote the community.

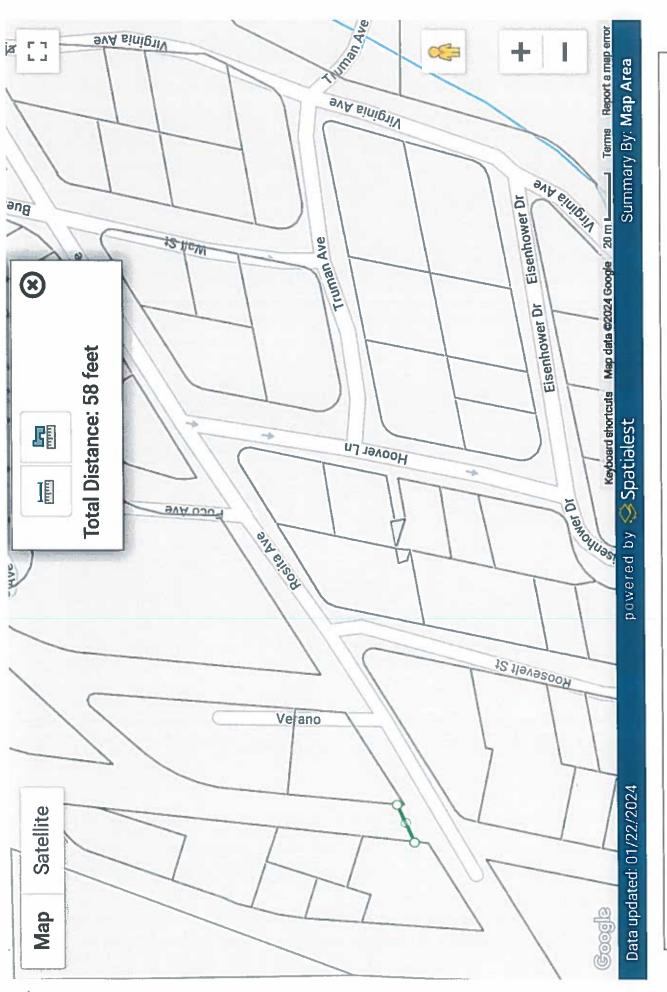


vacation of Petite helps to preserve the forested area and the microclimate and habitats for wildlife. Have the town also consider the Forested Land Map by the Community Master Plan and note the

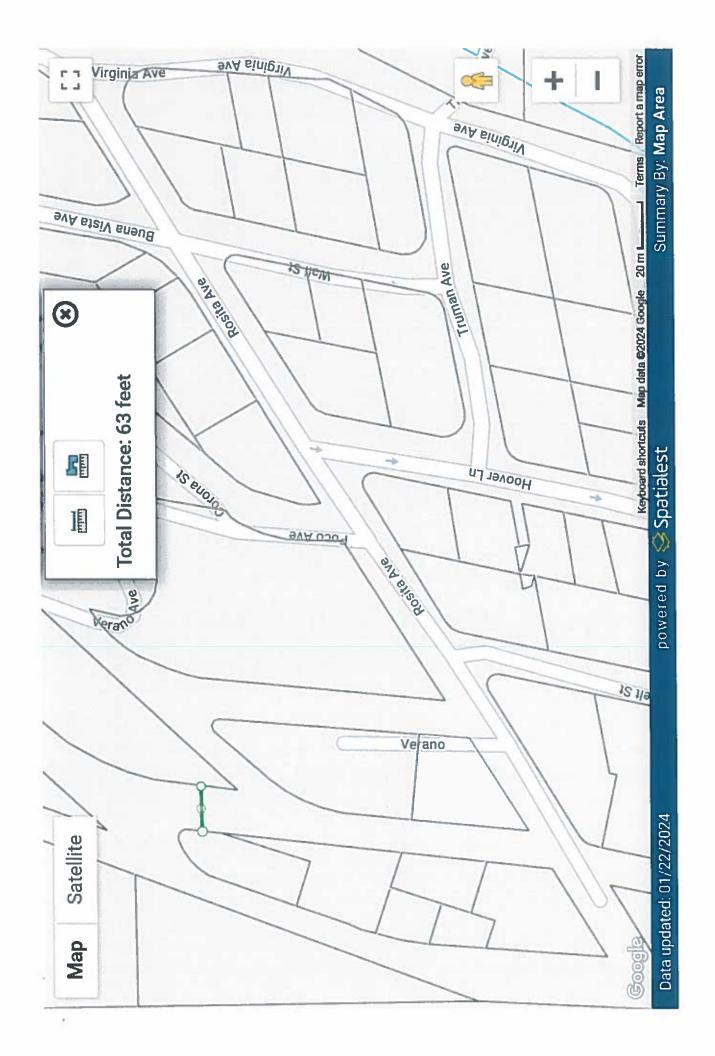


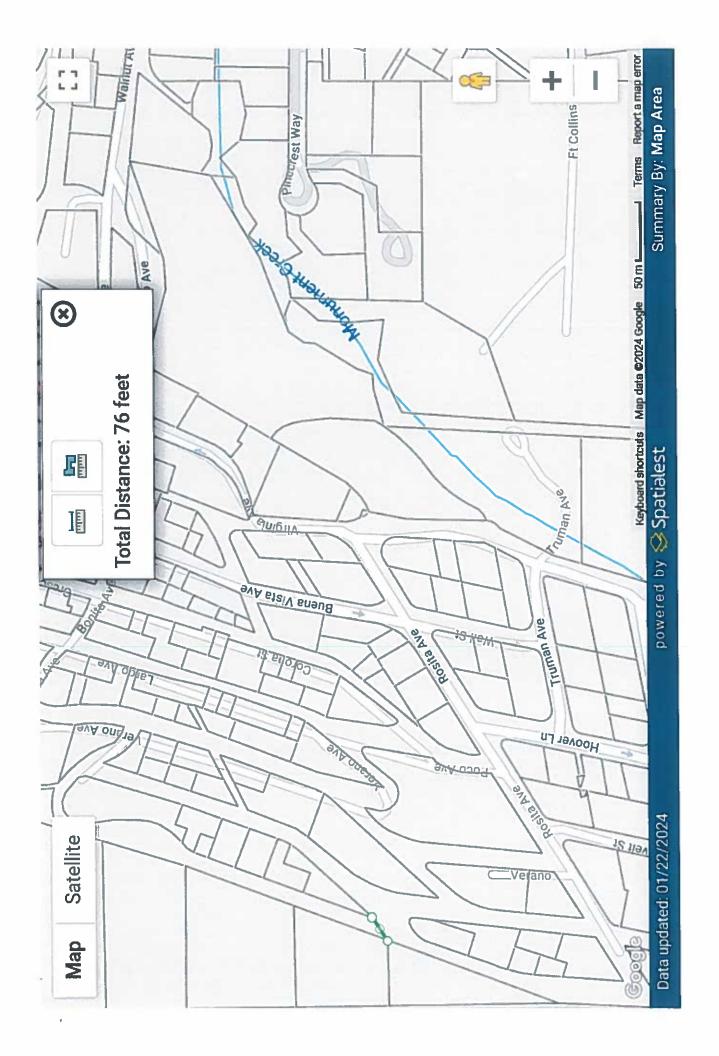


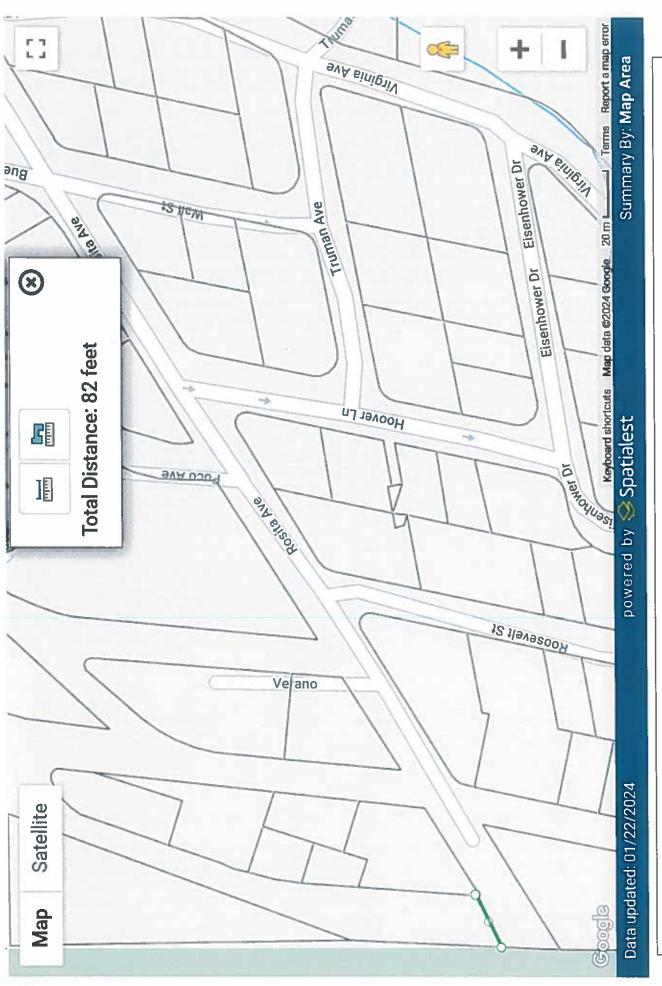
El Paso County GIS system highlighting Petite does not meet ROW on east side. Currently at 42 ft.



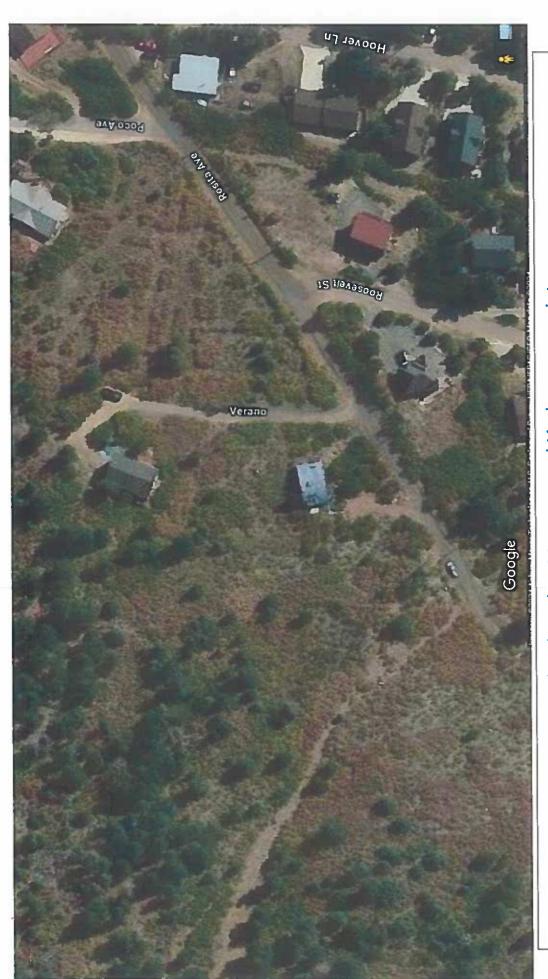
allows for more properties to have access and eliminates the need for mulitple roadways. Next page El Paso County GIS system highlighting Montana access via Rosita as a possiblity at 58 ft. This also shows Montana widens to 63 ft allowing access to Brickells, Akers and other properties



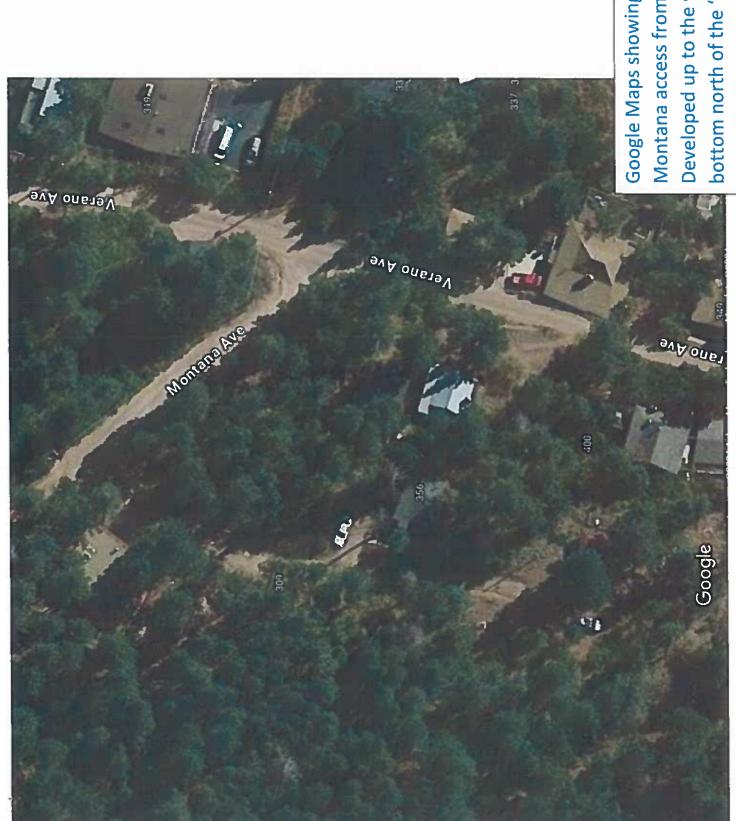




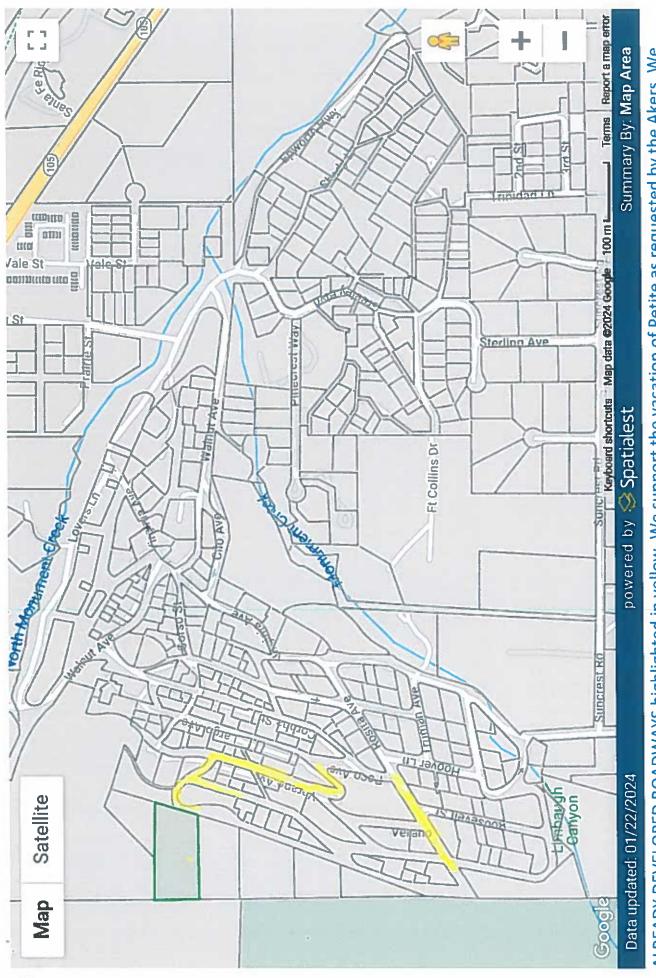
El Paso County GIS system highlighting Lindo access via Rosita as a possiblity at 82 ft. Keeping to Preservation. This would access the remaining properties not accessible through Montana. limited roadway access, and addressing Master Plan issues with Geo Hazards and Forest



Google Maps showing Rosita developed to Montana and Lindo access points



Developed up to the white car at the bottom north of the "Google" type. Google Maps showing developed Montana access from North end.



ALREADY DEVELOPED ROADWAYS highlighted in yellow. We support the vacation of Petite as requested by the Akers. We would also be in favor of the conversion of the area to be a utilities easement only. This would also align with the Towns Master Plan, addresses the Geo hazard map as well as the Forested map.