

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, November 20th, 2025, El Paso County Planning and Community Development Department
2880 International Circle, Colorado Springs, Colorado – Second Floor Hearing Room

REGULAR HEARING at 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: SARAH BRITTAIN JACK, JIM BYERS, JAY CARLSON, BECKY FULLER, ERIC MORAES, BRYCE SCHUETTPELZ, AND CHRISTOPHER WHITNEY.

PC MEMBERS PRESENT AND NOT VOTING:

PC MEMBERS ABSENT: BLAINE BREW AND TIM TROWBRIDGE.

STAFF PRESENT: MEGGAN HERINGTON, ERIKA KEECH, GILBERT LAFORCE, JOE SANDSTROM, KARI PARSONS, JOE LETKE, JESSICA MERRIAM.

OTHERS PRESENT AND SPEAKING: NINA RUIZ, DANIEL JACQUOT, AND DAVE ELLIOTT.

1. REPORT ITEMS

Ms. Herington advised the board that the next PC Hearing is Thursday, December 4th, 2025, at 9:00 A.M.

2. PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA

NONE.

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held on November 6th, 2025.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED (7 - 0)

IN FAVOR: (7) Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpelz, and Whitney.

IN OPPOSITION: (0) None.

4. CALLED-UP CONSENT ITEMS:

NONE.

5. REGULAR ITEMS

A. VA253

LETKE

VARIANCE OF USE

PRO TRANS VARIANCE OF USE

A request by Pro Trans Plus for approval of a Variance of Use to permit a commercial vehicle repair garage within an existing hangar at the Meadow Lake Airport. The property is zoned R-4 (Planned Development) and is located within the GA-O (General Aviation Overlay District), which restricts non-aviation-related land uses. Additionally, Final Plat Meadow Lake Airport Filing No. 3, Note #1, limits all lots to "hangar and airport accessory uses only." The hangar is located south of Judge Orr Road and east of Highway 24. (Parcel No. 4304002080) (Commissioner District No. 2)

STAFF & APPLICANT PRESENTATIONS

DISCUSSION: Mr. Whitney asked why the 2021 complaint was dismissed and on what basis it was believed the business was no longer operating in the hangar. **Mr. Letke** stated that code enforcement closes a case when no activity is observed during a site visit. In this instance, the officer visited during normal business hours, saw no evidence of business operations, and therefore closed the complaint.

Mr. Carlson requested clarification on the square footage, noting the business occupies 1,064 sq. ft. across two units, making each under 600 sq. ft. **Mr. Letke** confirmed this is accurate.

Mr. Moraes asked for clarification on the reason for the hearing postponement, referencing the site plan slide. **Mr. Letke** explained that the surface parking area was expanded approximately one week before the scheduled hearing, requiring additional time for staff and engineering to fully review the revised site plan. **Mr. Moraes** then asked about the asphalt path leading to the hangar space shown

on the diagram, comparing it to the photo provided. **Mr. Letke** confirmed that the asphalt path appears to lead to the hangar area. Regarding the location shown in the photo, he stated it is likely near the surface parking area but deferred to the applicant for precise confirmation.

Mr. Carlson questioned whether the two interior spaces shown on the site plan, the T-shaped areas in the hangar units, were being counted as customer parking, noting that parking is typically required outside of the structure. **Mr. Letke** explained that vehicles are intended to queue inside the hangar, with one vehicle lifted and another positioned underneath, and clarified that the applicant could elaborate further. **Mr. Carlson** asked how many outdoor parking spaces are provided aside from the interior storage areas. **Mr. Letke** responded that the site includes five surface parking spaces, in addition to interior vehicle space within the structure.

Mr. Whitney referenced the staff report and asked whether approval of the variance of use would legalize the non-aviation land use prohibited by the GAO and Final Plat Note 1, and close the active code enforcement case. **Mr. Letke** confirmed that is correct, stating that approval would remedy the code enforcement case and formally authorize the proposed land use.

Mr. Whitney raised a concern regarding Criteria 5, noting that staff indicated the applicant would comply with all applicable regulations. He pointed out that the activity is currently unlawful, and therefore the proposed use cannot be described as compliant. He stated that the more accurate interpretation is that if the variance of use is approved, the operation would then comply with applicable local, state, and federal requirements. **Ms. Nina Ruiz**, with Vertex Consulting, clarified that she not aware of any county, state, or federal regulations the applicant is failing to meet other than the land-use component, which is the subject of the variance request.

Mr. Carlson raised concerns about the applicant's business longevity and whether the requested variance could allow the operation to be sold and continued indefinitely, potentially prolonging issues already present at Meadow Lake Airport. He asked whether the applicant was seeking the variance to later sell the business and allow another operator to continue the non-aviation use. **Ms. Ruiz** responded that the applicant intends to continue operating the business himself, but stated she could discuss adding a condition limiting the variance to the current operator only, preventing transfer to a future owner.

Ms. Parsons addressed Mr. Carlson's earlier question regarding parking requirements in the Land Development Code (LDC). She clarified that a repair garage requires: One parking space per employee on the maximum shift (rounded up), and three additional spaces per bay or stall. She noted that vehicle lifts inside the hangars do not count as parking spaces, as the code requires the additional three spaces outside of the bay. She also explained that parking must be provided on-site, unless a qualifying off-site agreement exists within 500 feet. **Mr. Carlson** repeated his interpretation that the applicant appeared to be counting a car on a lift as a required parking space. Ms. Parsons confirmed that staff would not count interior lift spaces toward required parking and would apply the code as written during site development review.

Mr. Whitney asked whether the variance, as submitted, would run with the land or be personal to the applicant. **Ms. Ruiz** confirmed it is currently written to run with the land, but she will confer with the applicant about limiting it to his operation only.

Ms. Fuller asked whether the five proposed surface parking spaces are dedicated to the applicant's units or available to all users. **Ms. Ruiz** clarified that the property is under common ownership, meaning the spaces would function as shared parking, similar to a shopping center. She added that no other units on the site have non-aviation uses that trigger additional parking requirements under the plat restrictions. **Mr. Moraes** asked who would construct the five parking spaces and whether the applicant had permission from the common ownership group. **Ms. Ruiz** stated that Mr. Gandara, the applicant, would construct them, and that the property manager who signed the application has confirmed approval for him to do so.

PUBLIC COMMENTS: **Mr. Daniel Jacquot**, part-owner of 7936 Cessna Drive LLC since 2012, spoke in opposition to the Variance of Use. He clarified that he holds 11.2% ownership and that the building has nine additional owners, most of whom were not notified of the variance request despite having voting rights under the membership agreement. He noted that Phil Martin, listed as the sole owner on the staff report, holds only 4.7% ownership and did not consult the other partners until late in the process. Mr. Jacquot stated that many owners purchased property there specifically because the HGA overlay restricts uses to aviation-related activities, and approval of this variance would undermine those protections. He also disputed several items in the staff report, including: Misrepresentation of the site as a "key area," noting that 35 hangars rely on the shared taxiways at 7930 Cessna Drive. Inaccurate

descriptions of water and sanitation, clarifying that water is supplied by an outdoor hydrant shared with another hangar complex, and sanitation appears limited to a porta-potty. Incorrect statements about equal ownership shares, explaining that shares are based on square footage, and the LLC also owns the taxiways and land south of the hangars, both affected by the request. Mr. Jacquot further expressed concern about parking misrepresentations, noting the hangars have interior modifications (stairs, shelving, storage) that reduce interior capacity and make the claimed six interior parking spaces unrealistic. Historically, parking near the taxiway has caused obstructions, and he cited a 2013 letter from Mr. Martin limiting Mr. Gandara to parking only two vehicles to avoid blocking aircraft access, with a later verbal agreement requiring an 18-foot buffer for safety. He stated that proposed parking on the south side of the taxiway lies within a runway protection zone, and none of the co-owners consented to this change. Regarding compatibility, Mr. Jacquot emphasized that among approximately 98 hangars in the area, none host automotive repair operations. He argued that allowing a transmission repair business is incompatible with the aviation-focused character of the complex. Finally, he expressed safety concerns, stating that delivery vehicles have been observed on taxiways and runways, creating a serious aviation hazard. He warned that the risk of collision is significant and avoidable.

Mr. Carlson asked whether a typical T-shaped hangar of roughly 550 square feet generally contains a single-engine aircraft. **Mr. Jacquot** confirmed that it does. **Mr. Carlson** then asked whether such hangars typically include a restroom or any water service. **Mr. Jacquot** responded no, explaining that the only available water source is a hydrant across the taxiway at 7944 Cessna Drive.

Ms. Fuller raised concerns about ownership authority, noting that the entire building is owned by 7936 Cessna Drive LLC, and questioned whether one individual can apply for a variance that affects property held in common ownership. **Ms. Herington** explained that staff relies on the signature of the registered agent listed with the Colorado Secretary of State. Phil Martin, listed as the registered agent, signed the application, which is sufficient for staff to accept the submittal. She emphasized that staff cannot investigate every potential owner and relies on the applicant's attestation that they are authorized to sign. **Ms. Fuller** reiterated concern that a registered agent may not have the authority to act on behalf of the LLC, noting this could present a significant legal issue about whether the proper property owner actually applied. **Ms. Herington** reiterated that the application includes a signed acknowledgment

asserting ownership authority and that submitting without proper authorization carries potential penalties. She deferred to legal counsel for further clarification.

Ms. Keech, representing the County Attorney's Office, stated that being a registered agent does not necessarily confer authority to act for the company in matters such as this variance. She recommended continuing the hearing to allow legal review of the LLC's corporate documents. She noted that the Commission could either continue the item or consider the testimony as presented and make a decision, but legal's recommendation is to continue for further investigation.

Mr. Dave Elliott, airport manager and long-time property owner at Meadow Lake, spoke in opposition. He stated his concern is not with the applicant personally but with the broader airport impacts created by non-aviation businesses operating beyond their hangars. He described multiple incidents of unauthorized delivery vehicles, including a FedEx tractor-trailer and Amazon vans, entering restricted taxiways and even crossing a runway while attempting to reach hangars, creating significant safety risks. Mr. Elliott's primary objection is that the proposed parking area lies within the runway's Object Free Area (OFA). Citing state statute §43-10-113 and 14 CFR Part 77, he explained that counties must enforce minimum land-use protections, which require the primary surface of the runway to remain clear for 125 feet on either side of the centerline. The proposed parking falls within this protected area and cannot be shifted elsewhere without blocking essential taxiway access. He concluded that the variance request conflicts with state and federal requirements, creates ongoing safety hazards, and therefore should not be approved.

Mr. Moraes asked whether the five proposed parking spaces on the south side of the site, previously described as having "permission", had been approved by the Airport. **Mr. Elliott** clarified that although the airport does not own the land, the area is still encumbered by airport design standards, so the permission referenced did not come from the Airport. **Mr. Moraes** asked whether owners at Meadow Lake are required to get airport association approval before modifying their property. **Mr. Elliott** explained that the airport's land-use restrictions date back to Meadow Lake Airport Filing #1 (1969) and became subject to FAA reliever airport standards in the late 1980s, which now govern how land in the area can be used. **Mr. Moraes** asked about the largest wingspan typically seen at the airport. **Mr. Elliott** stated the airport is designed for Group I aircraft (up to 49-foot wingspan, 20-foot tail height, 12,500 lbs.), but it can also accommodate some Group II aircraft, such as those operated by the Air Force

Academy during touch-and-go training. **Mr. Moraes** expressed concern that vehicles parked adjacent to taxiways create hazards, noting that aircraft wingspans often extend far beyond the paved taxiway, making even seemingly “offset” parked cars a safety risk, especially since customers unfamiliar with aviation may not understand how wide aircraft extend.

Mr. Whitney asked whether the encumbrance on the applicant’s land is statutory, meaning the land may be privately owned but still restricted by required aviation safety setbacks. **Mr. Elliott** confirmed this, noting that the plat itself reflects these limitations, including a 200-foot building setback shown on Meadow Lake Airport Filing No. 3 due to runway protection requirements.

APPLICANT REBUTTAL: **Ms. Ruiz** addressed questions about the photos submitted, clarifying that not all vehicles shown belong to customers, and that some (e.g., a travel trailer and tan sedan) were unrelated. She noted that in the photos, one side shows five vehicles, which aligns with the five proposed surface parking spaces, and that one improperly placed vehicle was dropped off without an appointment, contrary to the applicant’s standard procedures. She stated that while concerns were raised about aircraft wingspan and safety, there is no recorded agreement within the LLC restricting parking based on wingspan, though ground markers are in place to guide where vehicles may and may not park. The applicant’s five proposed spaces are outside those marked limits. **Mr. Moraes** asked who is responsible if a customer parks improperly. **Ms. Ruiz** responded that the applicant is responsible, though he cannot control unauthorized drop-offs. She noted that if excessive improper parking were occurring, objectors would likely have documented it. **Mr. Moraes** questioned whether parking should occur inside the hangars. **Ms. Ruiz** clarified that code requires nine total spaces for the use. The applicant proposes to meet this by using interior hangar space (six total) plus five exterior spaces for completed vehicles awaiting pickup. Customers drop off vehicles inside the hangar; once repaired, vehicles move to the outdoor spaces. She emphasized that the applicant cannot control shared LLC property, but can provide the required number of parking spaces for his operation. If the business did not exist, parking would not be an issue; however, the variance request is limited strictly to whether the proposed parking configuration and number of spaces meet code. **Ms. Ruiz** concluded that the request reflects how the business currently operates, that staff found the required parking has been met, and that if the Commission believes the configuration is inadequate, they may choose to deny the variance.

Mr. Moraes asked whether the business requires outdoor storage. **Ms. Ruiz** confirmed no, stating outdoor storage is not needed for the operation.

Mr. Carlson noted that under the Land Development Code, the use would typically require eight outdoor parking spaces in addition to interior space, and asked how the applicant justifies counting interior hangar areas as parking. **Ms. Ruiz** responded that while the code reflects a typical automotive repair shop, this operation is not typical, as the applicant works on only one vehicle at a time, significantly reducing the parking demand normally associated with such uses.

Mr. Whitney asked about the applicant's stated limit of 10 trips per day, and whether that limit is formally enforceable. **Ms. Ruiz** confirmed that the 10-trip maximum is included on the site plan as part of the official request. If exceeded, it could trigger a complaint and revocation of the variance. **Mr. Whitney** asked whether the request anticipates future business growth or is based on current operations. **Ms. Ruiz** explained that the 10 trips per day scenario is based on a worst-case calculation, factoring in up to two employees, customer arrivals and pickups, and occasional additional trips, more than the applicant expects day-to-day.

Mr. Carlson asked where aircraft owners park their cars when they take their airplanes out to fly. **Ms. Ruiz** explained that there is no formal off-site parking within the LLC, nor in most areas of Meadow Lake Airport. Aircraft owners typically park inside their own hangars, and the surrounding areas shown in photos are not formalized parking areas.

Addressing earlier concerns about LLC ownership authority, Ms. Ruiz stated that if any members believe the application was submitted without proper authorization, that issue constitutes a civil matter. Owners may pursue it legally, but it is outside the County's land-use process.

Ms. Brittain Jack asked for clarification regarding the registered agent who signed the application, confirming it was Phil Martin, not the applicant. **Ms. Ruiz** noted that Mr. Martin signed as the registered agent for 7936 Cessna Drive LLC and also provided a letter of authorization permitting Mr. Gandara and Vertex to represent the LLC for the variance. **Ms. Brittain Jack** then asked whether the other LLC members were aware of and accepted Mr. Martin's authority to sign. **Ms. Ruiz** stated that letters were sent to all LLC members notifying them of the variance request and inviting participation. No responses were received. She added that the LLC does not appear to hold regular meetings or conduct ownership

votes, and that authorization disputes, if any, must be resolved internally or through civil legal action, as the County cannot adjudicate those issues.

Ms. Ruiz addressed concerns about traffic and unauthorized vehicles on the airport grounds. She noted that these issues are airport-wide problems and not specific to the applicant's business. The example involving Amazon deliveries illustrates that vehicles routinely enter the airport because Meadow Lake has no gated access, allowing drivers to come and go freely. She emphasized that deliveries occur throughout the airport, and the applicant is making every effort to ensure his customers follow the proper procedures, even though he cannot control the broader access issues affecting the entire facility.

PLANNING COMMISSION DISCUSSION: Ms. Fuller stated she does not believe the application is properly authorized, given testimony from an LLC member that the ownership did not approve it. She questioned whether the applicant could even construct the proposed parking without LLC consent. She also found the parking plan inadequate and interior hangar parking inappropriate. She indicated she would vote against the request.

Mr. Schuettpeiz said the LLC's authorization issue is likely an internal legal matter, but agreed the business is not compatible with airport uses. He noted interior bays cannot realistically count as parking and exterior spaces are shared among all owners, making them unreliable for meeting code. He stated he would also vote against the variance.

Mr. Moraes raised concern about the potential invalidity of the application if improperly authorized. He emphasized the importance of considering three-dimensional aviation safety, including wingspan and protected airspace, which the proposed parking may violate. He stressed that Meadow Lake Airport is a finite county aviation resource, and allowing non-aviation variances erodes its purpose and the GAO overlay. He opposed the variance on those grounds.

Mr. Whitney recommended continuing the hearing to resolve the ownership authorization issue, noting significant uncertainty and conflicting testimony. He stated there is no urgency, given the business has operated for 19 years, and the County should first verify whether the application was properly filed by the LLC. If authorized, the matter can return for review; if not, the applicant must correct it before proceeding.

Ms. Keech confirmed that moving forward without resolving the ownership issue would create a legal vulnerability for the County if the approval were later challenged.

Mr. Carlson stated that beyond ownership concerns, the request fails on substantive grounds: the parking does not meet code, the proposal does not comply with the airport overlay, and other issues, such as utilities, would likely emerge. He said he could not support the variance due to the number of unresolved compliance problems.

PC ACTION: SCHUETTPELZ MOVED / FULLER SECONDED TO RECOMMEND DISAPPROVAL OF REGULAR ITEM 5A, FILE NUMBER VA253 FOR A VARIANCE OF USE, PRO TRANS VARIANCE OF USE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH THREE (3) CONDITIONS AND THREE (3) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND DISAPPROVAL PASSED (5 - 2).

IN FAVOR: (5) Byers, Carlson, Fuller, Moraes, and Schuettpelz.

IN OPPOSITION: (2) Brittain Jack and Whitney.

6. NON-ACTION ITEMS

NONE.

MEETING ADJOURNED at 10:40 A.M.

Minutes Prepared By: Jessica Merriam