

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission

Timothy L. Trowbridge, Chair

FROM: Kari Parsons, Principal Planner

Bret Dilts, PE, Senior Engineer

RE: Project File Numbers: P2611 and P2612

Project Names: MA Subdivision Tract A Map Amendment to RS-5000 (P2611)

MA Subdivision Tract A Map Amendment to RM-12 (P2612)

Parcel Number: 6115011001

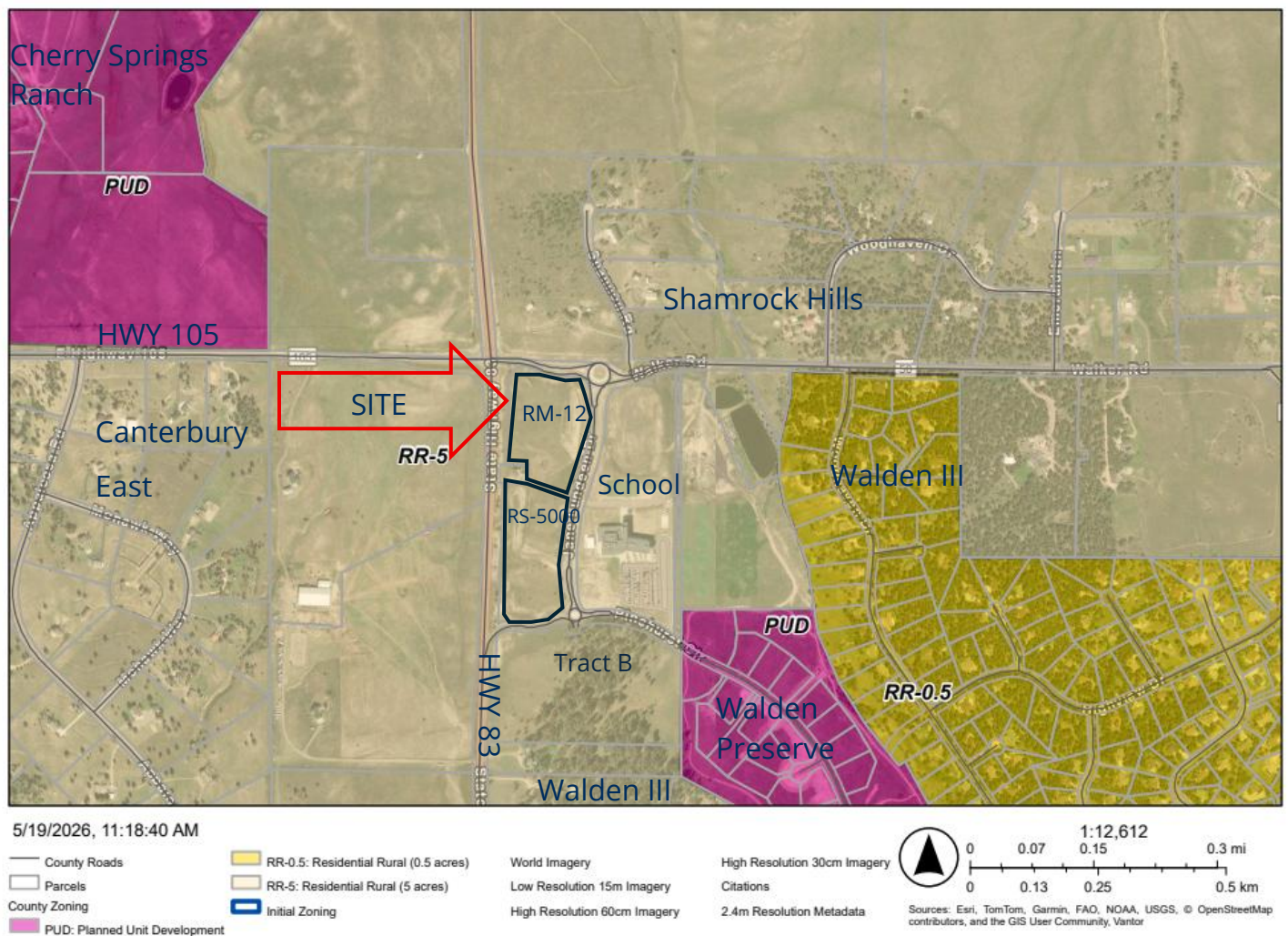
Commissioner District: 1

OWNER:	REPRESENTATIVE:
MA Infrastructure LLC 1230 Scarsbrook Ct Monument, CO 80132	Vertex Consulting Services, LLC 5825 Delmonico Dr., Suite 320 Colorado Springs, CO 80919
Planning Commission Hearing Date:	11/5/2026
Board of County Commissioners Hearing Date:	12/10/2026

EXECUTIVE SUMMARY

A request by MA Infrastructure, LLC for approval of a Map Amendment (Rezoning) of 7.56 acres from RR-5 (Residential Rural) to RS-5000 (Residential Suburban) and a Map Amendment (Rezoning) of 7.79 acres from RR-5 (Residential Rural) to RM-12 (Residential Multi-Dwelling). The property is located at the southeast corner of the intersection of Walker Road and Highway 83.

Zoning Map



A. Authorization to Sign: There are no documents associated with this application that require signing.

B. APPROVAL CRITERIA

In approving a Map Amendment (Rezoning), the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 Map Amendment (Rezoning) of the El Paso County Land Development Code (as amended):

- *The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;*
- *The rezoning is in compliance with all applicable statutory provisions including but not limited to C.R.S §30-28-111 §30-28-113, and §30-28-116;*
- *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and*
- *The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.*

C. LOCATION

North:	RR-5 (Residential Rural)	Single-Family Residential
South:	RR-5 (Residential Rural)	Vacant/Grazing
East:	RR-5 (Residential Rural)	The Monument Academy School
West:	RR-5 (Residential Rural)	Single-Family Residential

D. BACKGROUND

The subject property was originally zoned A-5 on January 5, 1955, when zoning was initiated for this portion of the County. Nomenclature changes have modified the A-5 district to RR-5 (Residential Rural). The Planning Commission approved an Approval of Location for the adjacent Monument Academy combined middle/high school on May 7, 2019. The Monument Academy Development Agreement was finalized after the school's approval. The subject parcels were platted with the Monument Academy School, known as the

MA Subdivision. The school is situated on Lot 1. The proposed Rezoning is located in Tract A. Tract B is a future development tract south of Tract A and Lot 1. (Please see Plat Map attached to the report).

The development agreement dated May 20, 2020, memorialized the requirements for the permitting, financial assurance, and construction of public improvements for the Monument Academy school, which also benefits the two platted future development tracts. The following improvements are identified in the agreement:

- a. Construction of Jane Lundeen Drive and Pinehurst Circle, including sidewalks, curb and gutter;
- b. Improvements to Walker Road, including a roundabout at the intersection with Jane Lundeen Drive;
- c. Improvements to the intersection of State Highway 83 and Walker Road; and
- d. The right-in only intersection of State Highway 83 and Pinehurst Circle.

The above improvements have been constructed, and the infrastructure has been dedicated to El Paso County in conjunction with the Plat for the school site lot and two future development tracts. The tracts are required to be platted as lots prior to development. It is anticipated that Tract A will be sold and platted if the Rezoning is approved.

Two Rezoning applications on this parcel were previously denied by the Board of County Commissioners on July 23, 2026.

E. ZONING DISTRICT COMPARISON

The applicant is requesting to rezone 7.56 acres to the RS-5000 (Residential Suburban) and 7.79 acres to the RM-12 (Residential Multi-Dwelling) zoning district. The RS-5000 zoning district is a 5,000 square foot district intended to accommodate single-family and two-family residential development. The RM-12 zoning district is a 12-dwelling-unit-per-acre district intended to accommodate moderate-density single-family attached and detached and low-density multi-dwelling development. Multi-family (3 or more units attached) is not an allowed use in the RS-5000 zoning district. Two-family dwelling units on a 7,000 square foot lot is an allowed use in the RS-5000 zoning district. The Code defines the differences below:

Dwelling, Multifamily — A structure containing 3 or more dwelling units designed for or used exclusively as a residence by 3 or more families, living independently of one another with accessory uses, limited to an office, laundry and recreational facilities, used in common by the occupants.

Dwelling, 2-Family — A structure containing 2 dwelling units that are structurally attached and designed for or used exclusively as a residence by 2 families, living independently of one another.

Dwelling, Single-Family — A structure containing 1 dwelling unit designed for or used exclusively as a residence by 1 family.”

The allowable uses are as follows:

Use Type	Agricultural Zoning Districts			Residential Zoning Districts						
	F-5	A-35 ₃	A-5 ₃	RR-5 ₃	RR-2.5	RR-0.5	RS-20000	RS-6000	RS-5000	RM-12
Dwelling, Attached Single-Family								A ⁸	A ⁸	A ⁸
Dwelling, Detached Single-Family	A	A	A	A	A	A	A	A	A	A ⁸
Dwelling, Multifamily										A ⁸
Dwelling, Two-Family	S ⁸	A ⁸	S ⁸	S ⁸		S ⁸			A ⁸	A ⁸
Educational Institution, Private	S	S	S	S	S	S	S	S	S	S
Educational Institution, Public	A	A	A	A	A	A	A	A	A	A
Manufactured Home	A	A	A	A	A	A	A	A	A	
Retirement Center										A

8* Use requires central water and wastewater services.

The density and dimensional standards for the existing and proposed zoning districts are as follows:

Dimensional Standards	Existing Zoning District:	Proposed Zoning District:	Proposed Zoning District:
	RR-5 (Residential Rural)	RS-5000 (Residential Suburban)	RM-12 (Residential Multi-dwelling)
Minimum Lot Size	5 acres ²	5,000 square feet ^{7, 13}	3,500 square feet ^{8,13}
Minimum Width at Front Setback	200 ft	50 ft	35 ft
Front Setback	25 ft	25 ft ¹³	20 ft ^{10, 13}
Rear Setback	25 ft	25 ft ¹³	15 ft ^{10, 13}
Side Setback	25 ft	5 ft ¹³	5 ft ^{10, 13}
Maximum Lot Coverage	25%	40%/45% ¹⁵	70%
Maximum Height	30 ft	30 ft	40 ft

7* Minimum lot area applies to single-family detached dwellings. For two-family dwellings and all other uses a minimum lot area of 7,000 square feet is required.

8* The minimum lot area of 3,500 square feet applies to single-family attached dwellings. The minimum lot area for single-family detached dwelling units is 3,500 square feet. The minimum lot area for two-family dwellings and all other allowed uses is 7,000 square feet. Central water and wastewater services are required regardless of lot size or conforming status.

10* The minimum distance between buildings shall be 10 feet.

13* If the building is established as or converted to condominium or townhome units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area and setbacks requirements, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements. Within the zoning district, a 25-foot perimeter boundary setback shall be maintained around the entire development, but a zero-foot setback is allowed along any internal lot line within the development.

15* Where a single-story ranch style residence is proposed, the maximum lot coverage may be 45% of the total lot area.

F. MASTER PLAN COMPLIANCE

1. Your El Paso Master Plan

a. **Placetype Character:** Suburban Residential

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multi-family housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.

Recommended Land Uses:

Primary

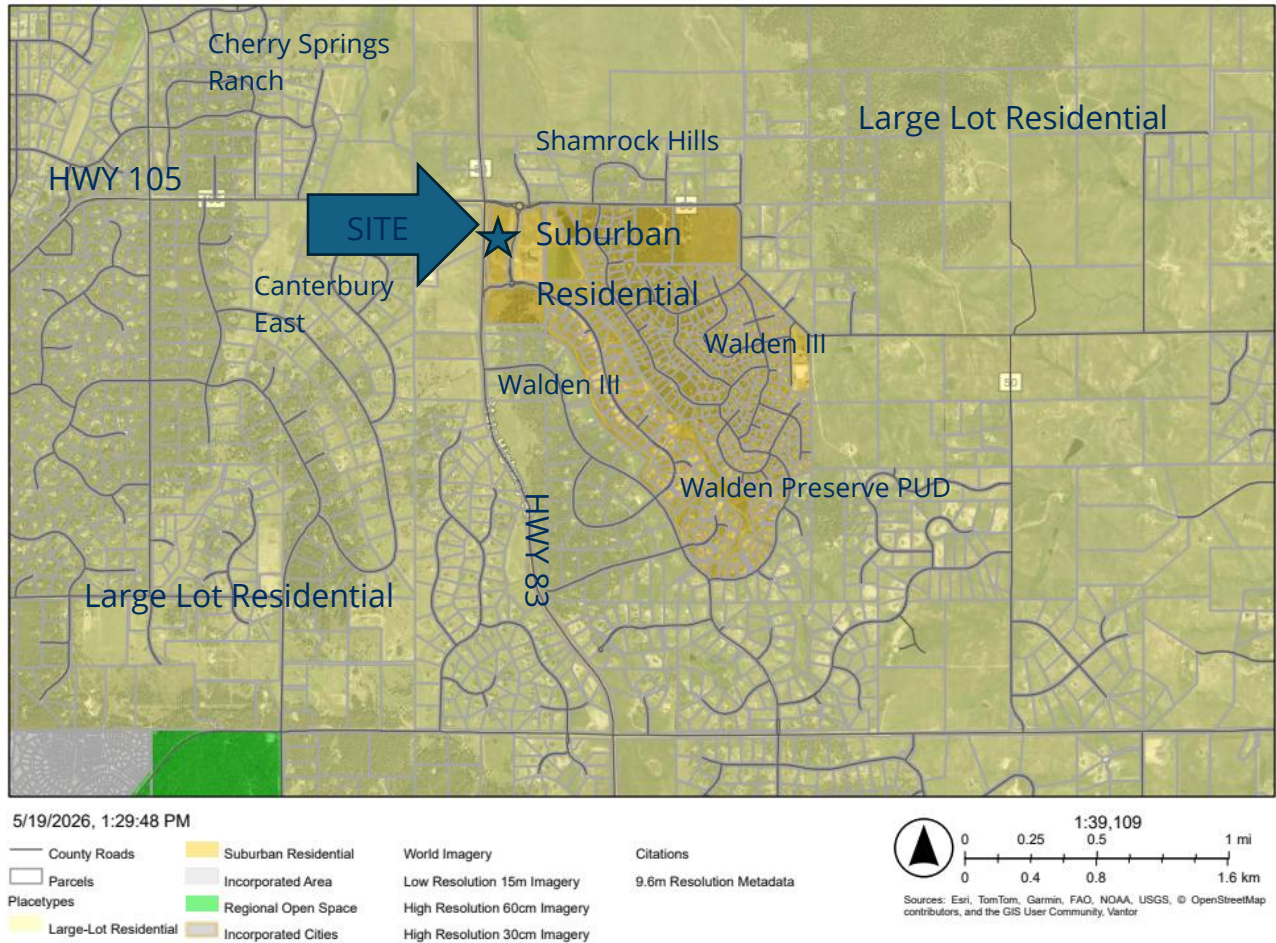
- *Single-Family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre.*

Supporting

- *Single-family Attached*
- *Multi-family Residential*

- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

Placetypes Map



Analysis:

Single-family development is an allowed use in the Suburban Residential Placetype. The density of the *primary* single-family use is identified at 2.5 acres per lot and up to 5 dwelling units per acre. RS-5000 zoning district has a minimum of 5,000 square feet per single-family lot, which is equivalent to approximately 8.7 dwelling units per acre. Two-family dwellings are allowed in the RS-5000 zoning district and have a minimum lot size of 7,000 square feet, which is the equivalent of 12.4 dwelling units per acre. However, *supporting* land uses within the placetype may allow for more urban single-

family attached development. Multi-family development is an allowed land use in the Suburban Residential placetype if it is supportive of and compatible with the single-family character of the area. Additionally, *supporting* limited commercial uses located at major intersections served by central water and wastewater are also allowed in the Suburban Residential placetype. At this time, it is not known if the proposed uses within the requested RM-12 zoning district will be a retirement home, apartment buildings or single-family attached dwelling units which are all examples of allowed uses in the RM-12 zoning district.

The Suburban Residential placetype describes “Function of Supporting Uses” in the Master Plan as:

Few commercial uses may be appropriate in Suburban Residential. Those allowed must be small-scale standalone businesses that serve a neighborhood population. Additionally, certain unique businesses that mirror the development style of residential development are also allowed. Accessory Dwelling Units (ADUs) are compatible in this placetype and should function in the context of the existing neighborhood.

There are no existing urban residential or urban commercial developments in this area of the County, the proposed allowed densities are significantly higher than the surrounding densities of single-family detached properties in all directions, excluding the school site, which serves the community. In the Master Plan, multi-family development is a primary use in the Regional Center and Urban Residential placetypes. The applicant is requesting a net density of 8.7 dwelling units per acre (RS-5000) and 12 dwelling units per acre (RM-12), which are required to be served by central water and wastewater. The proposed Rezoning is adjacent to the RR-5 (Residential Rural) zoning district which has a minimum lot size of 5-acres (0.20 dwelling units per acre).

Approximately, a ¼ mile to the east lies the Walden III Development which is zoned RR-0.5 (Residential Rural) and has a minimum lot size of ½ acre (two dwelling units per acre). The Walden Preserve PUD Development is approximately 800 feet to the southeast and has a minimum lot size of 1-acre (1.84 dwelling units per acre). Both are served by the Walden Corporation for water and wastewater services. It is anticipated that if the Rezoning is approved, the Walden Corporation will provide water and wastewater services to the requested development area. The nearest RM-12 (Residential Multi-Dwelling) zone district is 5.12 miles to the west, and adjacent to Interstate 25. The

nearest RM-30 (Residential Multi-Dwelling) zone district is 4.2 miles to the southwest, and adjacent to the Town of Monument. (Please see expanded Zoning Map attached to this report).

The nearest pocket area of Suburban Residential Placetype is approximately 2.2 miles to the west and more than 7 miles to the southeast. Although the property is located within the Suburban Residential placetype, it is important to note that this pocket of Suburban Residential Placetype, in this portion of the County is surrounded by the Large-Lot Residential Placetype on three sides. Minimum lot sizes of 2.5 acres are identified as the primary use. Multi-family uses are not supported in the Large Lot Residential placetype. (Please see expanded Placetype Map attached to this report).

Relevant principles, goals, and objectives include:

Goal 1.1 - *Ensure compatibility with established character and infrastructure capacity.*

Goal 1.3 - *Encourage a range of development types to support a variety of land uses.*

2. Housing & Communities Core Principle: *Preserve and develop neighborhoods*

with a mix of housing types.

Core Principle 1: *Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.*

Goal 2.2 - *Preserve the character of rural and environmentally sensitive areas*

Goal 3.3 - *Encourage the development of commercial districts in underserved areas.*

Goal LU3 - *Encourage a range of development types to support a variety of land uses.*

Objective LU3-1 - *Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

Objective HC2-6 - *Continue to carefully analyze each development proposal for their location, compatibility with the natural environment, and cohesion with the existing character.*

Objective TM1-4 - *Encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when maintenance is needed.*

b. Area of Change Designation: Minimal Change: Developed

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

Analysis:

The subject Rezonings are located in an area that is not expected to significantly change in character. However, the Master Plan acknowledges that new development within these areas if adjacent to existing urban developments, are anticipated to significantly change the character and increase the population of an area. The subject properties are not adjacent to urban development; however, the Monument Academy school may be considered as both an urban and rural land use. A relevant specific strategy is as follows:

Goal LU3 Specific Strategy – *The Minimal Change: Developed areas are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained.*

c. Key Area Influences: Tri-Lakes Area

Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the

most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

Analysis:

The requested Rezoning and subsequent applications are anticipated to provide a mix of urban residential development in the area if approved. The opportunity for additional housing stock in the northern portion of the County is supported by the Key Area-Tri-Lakes Area if it is determined to be aligned with the existing character.

d. Other Implications (Priority Development, Housing, etc.)

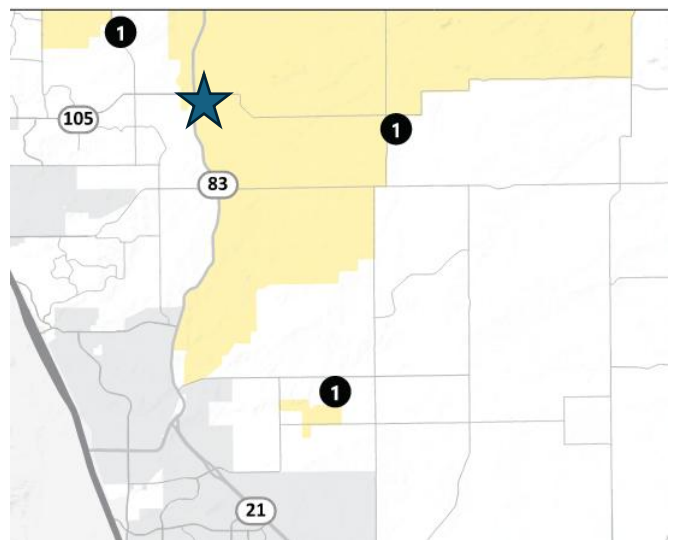
The subject property is located within the Black Forest/North Central Area Large-Lot Residential Priority Development Area. Please see excerpt from The Your El Paso Master Plan below:

Large-Lot Residential Priority Development Areas

1 Black Forest/North Central Area

Black Forest is a community with one of the strongest and most well-established characters in El Paso County. This area is built around protecting the forest and preserving its rural quality. Due to this natural amenity, many new residents seek to live in this area when moving to the County.

- Careful planning is required to **promote health of natural areas, especially the forest**, while accommodating new development for future residents.
- The County should **maintain existing and expand the Large-Lot Residential placetype in this area** in a development pattern that matches the existing character of the developed Black Forest community.
- **Commercial nodes should be considered where appropriately served by the transportation network** in the northern area to provide commercial goods and services within closer proximity to the population in this area. This would reduce unnecessary travel to other parts of the County and establish key commercial areas within the communities that need them.



The priority development area states that the Large Lot Residential placetype should be expanded in this area and encourages development that matches the existing character of the community. Large Lot Residential Placetype states:

“Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and waste-water utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if;

- 1.) the overall density is at least 2.5 acres/lot,*
- 2.) the design for development incorporates conservation of open space, and*
- 3.) it is compatible with the character of existing developed areas.”*

Analysis:

The requested Rezoning is within the Black Forest/North Central Area Large-Lot Residential Priority Development Area that is characterized by the Large Lot placetype which supports rural development with 2.5-acre lot sizes or greater. Urban residential development (RS-5000), lots less than 2.5-acres could be supported in the Priority Development Area “If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if:

- 1.) the overall density is at least 2.5 acres/lot,
- 2.) the design for development incorporates conservation of open space, and
- 3.) it is compatible with the character of existing developed areas.”

Multi-family is not supported in the Large Lot placetype. A concept plan has not been provided, nor is it required, in support of the requested Rezoning applications incorporating conservation areas; however, the RM-12 zoning district does have an internal landscape requirement of a minimum of 15 percent for multi-family uses (commercial apartment buildings). Attached and detached Single-family development do not have an internal landscape requirement.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes: better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – *Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

Policy 1.1.1 – *Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

Goal 1.2 – *Integrate water and land use planning.*

A finding of water sufficiency is not required with a Map Amendment. The applicant has provided documentation from the Walden Corporation in support of the Rezoning, stating that central water and wastewater will be provided to the development area.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential. The El Paso County Environmental Services Division was sent a referral and has no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies no significant resources in the area of the subject parcels.

The El Paso County Parks Master Plan (2022) shows no impacts to existing or proposed parks, trails, or open space.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

Hazards were not identified as part of this application. A Geohazard Report will be required with the Final Plat application.

2. Floodplain

The property is not located within a floodplain as determined by a review of the FEMA Flood Insurance Rate Map number 08041C0285G, effective December 7th, 2018. The property is in Zone "X," which is an area of minimal flood hazard determined to be outside the 500-year flood zone.

3. Drainage and Erosion

The property is located in the West Cherry Creek (CYCY0400) drainage basin. The West Cherry Creek drainage basin does not have associated drainage basin fees or bridge fees. A drainage report and grading erosion control plan is not required with a Map Amendment (Rezoning) request but will be reviewed with subsequent development applications.

4. Transportation

A traffic impact study was submitted with the Map Amendment (Rezoning) request. The traffic impact study indicates that the project is anticipated to generate 940 daily trips. Access to the proposed development would be from Jane Lundeen Drive on the east and Pinehurst Circle on the south. No direct access to Walker Road or Highway 83 would be allowed.

The 2024 Major Transportation Corridors Plan depicts Walker Road as a major collector roadway, owned and maintained by El Paso County. Jane Lundeen Drive is classified as a non-residential collector roadway and Pinehurst Circle is classified as a local roadway. These roadways have not yet been accepted for maintenance by El Paso County.

Improvements to the intersection of Highway 83/Highway 105/Walker Road have been identified in the traffic impact study with the proposed development having responsibility for the improvements or providing escrow to CDOT for future improvements. A CDOT access permit will be required for the development at the time of Final Plat or Site Development Plan. El Paso County Road Impact Fees, as approved by Resolution 25-337, are applicable to the development and will be assessed at the last land-use approval or when the applicant applies for a building permit.

H. SERVICES

1. Emergency Services

The property is within the Tri-Lakes Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and had no outstanding comments or concerns regarding the application.

2. Utilities

Black Hills Energy currently provides natural gas services to the property. Mountain View Electric Association, Inc., currently provides electrical services to the property. Both entities were sent a referral, and neither had outstanding comments or concerns regarding the application.

3. Metropolitan Districts

The subject property is not within a metropolitan district.

5. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a Map Amendment (Rezoning) application.

6. Schools

Land dedication and fees in lieu of school land dedication are not required for a Map Amendment (Rezoning) application.

I. STATUS OF MAJOR ISSUES

There are no outstanding major issues.

J. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5 Map Amendment (Rezoning) of the El Paso County Land Development Code (as amended), staff recommends the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RS-5000 (Residential Suburban) and / or RM-12 (Residential Multi-Dwelling) zoning districts and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 35 adjoining property owners on October 14, 2026, for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

L. ATTACHMENTS

Map Series

Letter of Intent (RS-5000)

Letter of Intent (RM-12)

Rezone Map (RS-5000)

Rezone Map (RM-12)

Walden Corporation Water Wastewater Letter

Public Comments

Draft Resolutions (RS-5000)

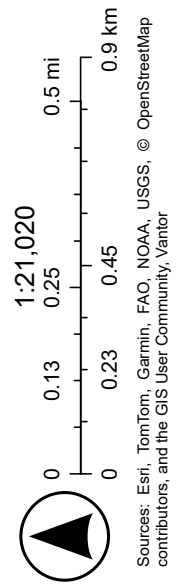
Draft Resolutions (RM-12)

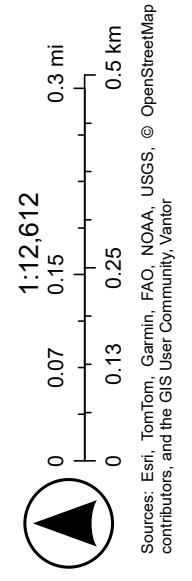
An aerial photograph of a rural landscape with a network of roads and land parcels. A blue star is placed on a road intersection. The map is oriented with North at the top. Labels include 'State Highway 83', 'Highway 405', 'Roller Coaster Rd', and 'E Highway 405'. The terrain is a mix of green fields and brownish, possibly fallow, land. The road network is dense in some areas and sparse in others. The blue star is located on a road that runs horizontally across the middle of the image, just above the 'State Highway 83' label.

☐ County Roads
☐ Parcels
☐ World Imagery

Citations

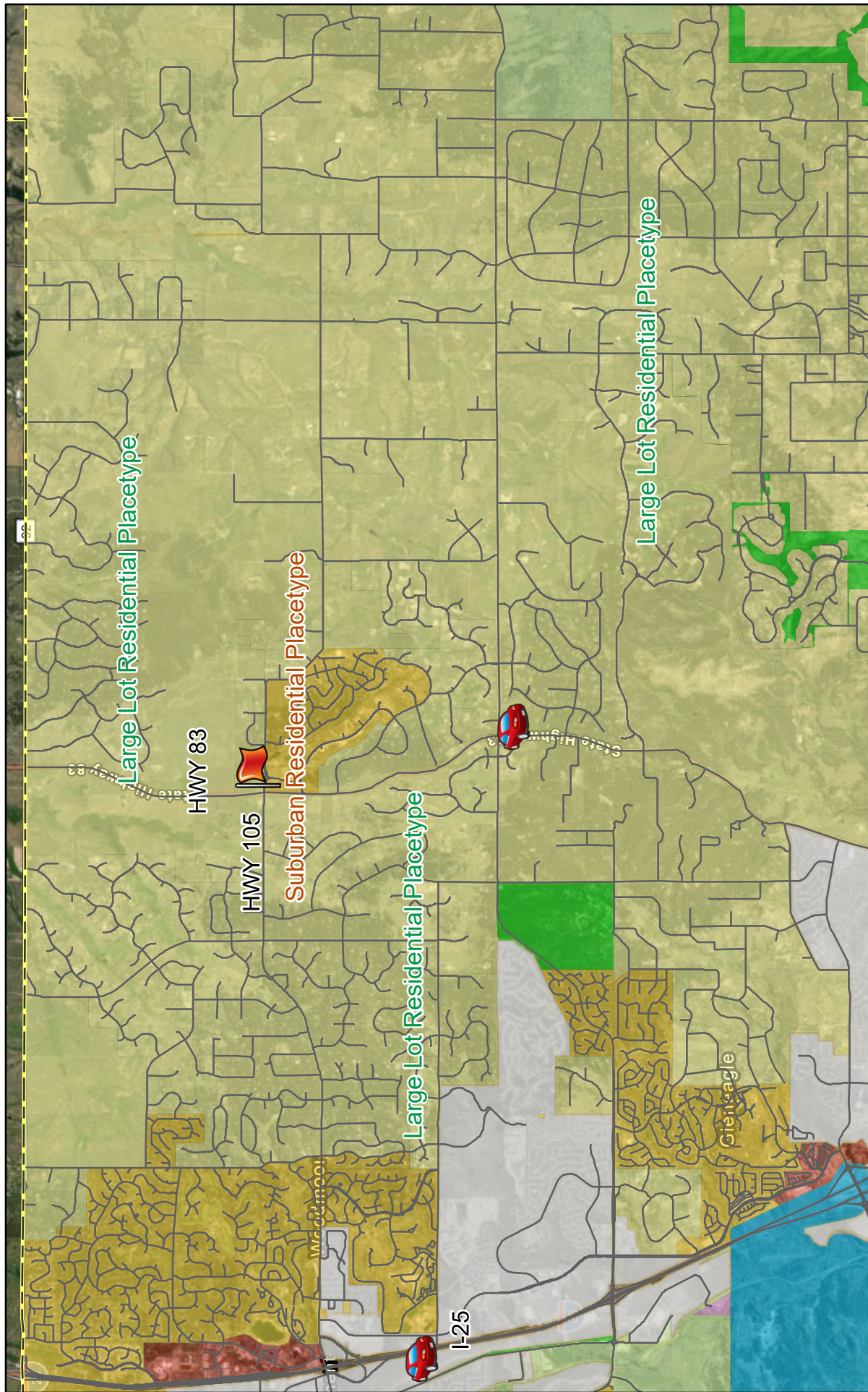
El Paso County



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- ☐ Override 1
- ☐ County Roads
- ☐ Parcels
- Areas Of Change
- Minimal Change: Developed
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 2.4m Resolution Metadata

Placetypes Map



6/2/2026, 9:32:29 AM

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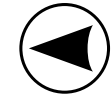


Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Earthstar Geographics

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High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations
19m Resolution Metadata

Land Use	Color	Resolution	Category
RS-5000: Residential Suburban (5,000 sq. ft.)		5000	Commercial
RM-12: Residential Multi-Dwelling (12 DU/acre)		12	Commercial
RM-30: Residential Multi-Dwelling (30 DU/acre)		30	Planned Development
RR-0.5: Residential Rural (0.5 acres)		0.5	Initial Zoning
RR-2.5: Residential Rural (2.5 acres)		2.5	Special Use
RR-5: Residential Rural (5 acres)		5	Sketch Plans

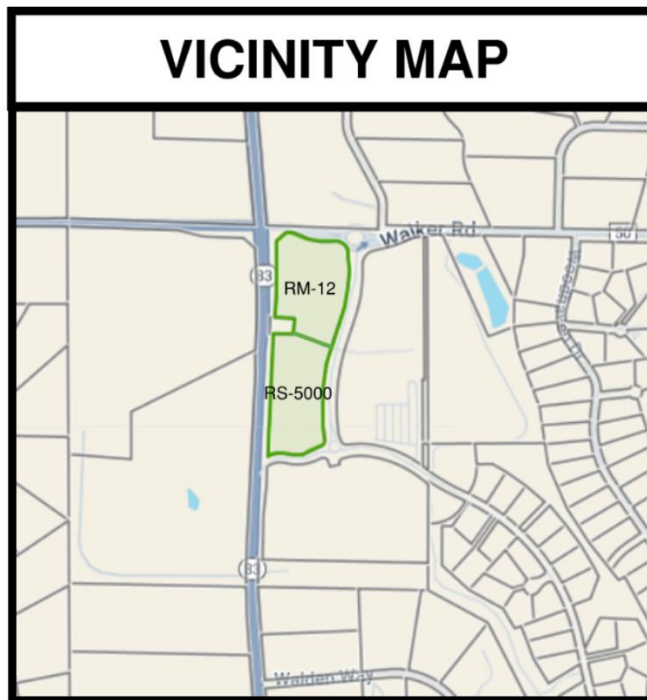
Surrounding Counties
 — County Roads
 County Zoning
 A-5: Agricultural (5 acres)
 A-35: Agricultural (35 acres)
 CC: Commercial Community
 CS: Commercial Service
 I-2: Limited Industrial
 RVP: Recreational Vehicle Park
 PUD: Planned Unit Development
 RS-20000: Residential Suburban (20,000 sq. ft.)
 RS-6000: Residential Suburban (6,000 sq. ft.)

MA SUBDIVISION TRACT A : RS-5000

Map Amendment (Rezoning)

Letter of Intent

September 9, 2026



PCD File No. P2611

MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132

OWNER: MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132

APPLICANT: Vertex Consulting Services, LLC
5825 Delmonico Dr., Suite 320
Colorado Springs, CO 80919

PROPERTY LOCATION: Southeast corner of the Highway 83 and Walker Road intersection

TAX SCHEDULE NO: 6115011001

CURRENT ZONING: RR-5

PROPOSED ZONING: RS-5000 at 7.56 acres

UTILITY SERVICE:

Mountain View Electric Association (MVEA) provides electric service and Black Hills Energy provides natural gas service to the area. Walden Water and Sanitation District will provide water and wastewater services (see commitment letter).

BACKGROUND:

Monument Academy combined middle and high school was approved by Approval of Location by the Planning Commission on May 7, 2019 (PCD File U191). The site development plan (PCD File PPR199) for the school was then administratively approved on June 1, 2020, subject to the Monument Academy Development Agreement (PCD File DA201). The development agreement required the construction of Jane Lundeen Drive to the County's Urban Collector roadway standard and Pinehurst Circle to the County's Urban Local roadway standard, in addition to requiring intersection improvements at Walker Road. The required urban cross-section was based upon comments by El Paso County and CDOT requiring the associated Traffic Impact Study to presume the land south and west of the school, now known as Tracts A and B, would be developed as a more intense mix of retail and office use based upon the Black Forest Preservation Plan, which is now obsolete.

The developer agreed to El Paso County's terms in the associated development agreement and constructed the required improvements to meet the urban cross-section, even though the land was zoned RR-5 at the time the obligation was put into place. Following construction of the necessary roadway improvements, the developer submitted a request for minor subdivision approval to create one lot, two future development tracts, and dedication of right-of-way (PCD File MS2110). The MA Subdivision was approved by the Board of County Commissioners on April 4, 2023. The property that is the subject of this rezoning request is Tract A of the MA Subdivision.

The developer then submitted a request for approval of two rezone applications for the subject parcel on January 16, 2026 (PCD Files P26 and P262). The requests included rezoning 7.56 acres to RM-12 and 7.79 acres to RM-30. The rezone applications were heard before the Board of County Commissioners on July 23, 2026, at a public hearing. The Board of County Commissioners denied the applications after hearing public testimony regarding the proposed zoning being urban in nature, whereas the surrounding development was characterized as being somewhat rural in nature.

Section 2.1.4, Resubmittal of Denied Application, provides the applicable standard directly relating to this zoning application:

No development application which has been denied by the final decision-making authority for such application may be resubmitted unless evidence is presented showing that there has been a substantial change in conditions or circumstances. A substantial change has occurred when the development application is substantially different in a material way from the one previously denied, or the conditions or circumstances surrounding the development application and material to the approval criteria for such application have substantially changed. (emphasis added)

The requested application is completely and substantially different from the prior denied application; it is a new application with materially different proposed zoning. The developer is now requesting to rezone the portion previously requested for RM-30 to the RM-12 zoning district, which represents a decrease in allowed density by more than half of the allowed dwelling units per acre. The developer is also requesting to rezone the portion previously requested for RM-12 to RS-5000, which represents a decrease in density by at least 25% while also removing the allowance for any multi-family dwellings for that portion of the property. These changes are substantial and material to the criteria in Section 2.1.4 included above. Accordingly, the applicant is requesting a finding that the application satisfies Section 2.1.4 as a new application, and that such application should be processed and ultimately be agendized before the Board of County Commissioners for a final decision.

REQUEST:

This is a request for approval of a map amendment (rezone) of 7.56 acres to the RS-5000 (Residential Suburban) zoning district.

Analysis and Justification:

The following is an analysis of the Map Amendment (Rezoning) criteria included within Section 5.3.5 of the El Paso County Land Development Code and justification for approval:

REZONING CRITERIA #1: *"The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there*

has been a substantial change in the character of the neighborhood since the land was last zoned.”

Your El Paso County Master Plan

Chapter 1 of Your El Paso Master Plan (2021) states that the Plan is “general in nature-it cannot tackle every issue in sufficient detail to determine every type of necessary action.” In addition, Chapter 1 goes on to state that the Plan “is intended to provide clearer and more coordinated policy, resulting in a document that effectively communicates County goals and identifies specific actions to achieve both County-wide and local area objectives.” When taken together, these two statements suggest to the reader that the Plan may only address certain issues at a cursory level and that specific steps or actions for addressing such issues may not be offered within the Plan.

Chapter 3 Land Use

Key Area Analysis: “Tri-Lakes Key Area”

A portion of the property is located within the Tri-Lakes Key Area. The Plan describes the key area as follows:

“Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. ***Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area.*** It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with ***a mixture of housing options***, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. ***Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.*** (emphasis added)

The proposed Map Amendment (Rezoning) will help support the existing character of the Tri-Lakes Key Area by providing additional places of residence for those who commute to work in the Denver Metropolitan Area. The proposed rezoning will allow for a greater variety (mixture) of housing options in the area. Developing additional housing in the area will help strengthen the current residential market as well as generate increased sales for any existing and future commercial uses in the area.

The map below shows the location of the site with respect to the rest of the Tri-Lakes Key Area. The context provided by this exhibit supports the proposed RM-12 and RS-5000 rezoning, as the site is uniquely situated adjacent to both Highway 83 and Monument Academy Charter School, distinguishing it from much of the surrounding Key Area. Monument Academy serves as a transition between the existing Walden development, which consists predominantly of residential lots ranging from 0.5 to one acre in size, and the more urban MA Subdivision development. As discussed in the Background Section above, El Paso County has historically planned for the land included within the MA Subdivision to develop in an urban manner. Accordingly, the developer was required to construct urban public improvements based on El Paso County's and CDOT's longstanding vision for more intensive development on this site than within the remainder of Walden. The proposed rezonings are consistent with this historic planning framework and the established development pattern in the immediate vicinity. By providing a mix of residential densities through the RM-12 and RS-5000 zoning districts, the proposed rezonings will help reinforce the long-standing planning expectations for the site as a transition area, its alignment with the existing character of the surrounding community, and its ability to strengthen residential housing opportunities within the Tri-Lakes Key Area.

Additionally, other locations in the Tri-Lakes Key Area would not be appropriate for increased residential densities due to concerns over infrastructure availability and capacity (e.g. water, wastewater, and roadways). The subject property is served by the Walden Corporation, which has excess water and wastewater capacity. The adjacent roadways have already been constructed to an urban cross-section with planned driveway curb cuts into the subject property to allow for internal roadway connections. As the Tri-Lakes Key Area continues to build out the most logical location for meaningful residential growth is along highway corridors in areas served by centralized services in unincorporated El Paso County, all of which are directly consistent with this map amendment (rezoning) request.



Area of Change Analysis: “Minimal Change: Developed”

The subject property is identified in the Areas of Change map within the Plan as being within the “Minimal Change: Developed” area of change.

“Minimal Change: Developed” Area of Change

Page 21 of the Plan characterizes areas of “Minimal Change: Developed” by stating:

“These areas have undergone development and have an established character. Developed areas of minimal change are largely built out ***but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment*** that will significantly impact the character of an area. ***For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population.*** The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.” (emphasis added)

The subject property directly reflects the conditions contemplated by the Plan. While a portion of the site is located within an area designated “Minimal Change: Developed,” the property itself remains vacant and undeveloped. As such, it represents one of the “isolated pockets of vacant or underutilized land” specifically identified by the Plan as appropriate for redevelopment and potential increases in intensity.

Rather than discouraging change, the Plan expressly recognizes that vacant sites within otherwise

developed areas may experience more intensive infill development and redevelopment that differs from surrounding patterns, provided the resulting development responds to the broader context and preserves the area's overall character. Accordingly, the subject property should not be evaluated solely against nearby lower-density residential development, but rather within the context of the site's unique characteristics, surrounding land uses, and strategic location.

Several factors distinguish the property from much of the surrounding area and support a development pattern that differs from adjacent detached single-family neighborhoods:

- Frontage along both Highway 83 and Highway 105, two significant regional transportation corridors;
- Availability of central water and wastewater infrastructure;
- Immediate adjacency to a major public institution, which is Monument Academy; and
- Being located at the intersection of community-serving facilities, regional transportation infrastructure, and established residential neighborhoods.

These characteristics create a context that is fundamentally different from other existing residential subdivisions located farther south and east in areas that are substantially further away from the existing highways. The site functions as a transition area between neighborhood-scale residential uses and higher-activity corridors that serve the broader community.

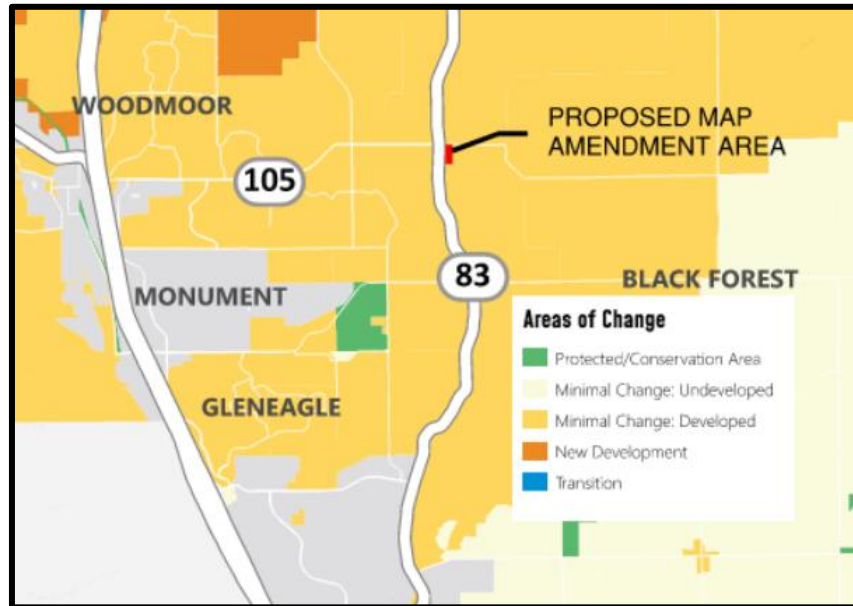
The property's adjacency to Monument Academy is particularly significant, as it establishes an institutional context that supports development patterns characterized by:

- Increased pedestrian activity and multimodal access;
- Building forms and site layouts compatible with civic, educational, and community-serving uses;
- Enhanced visibility, safety, and connectivity; and
- Opportunities for complementary uses that support students, families, and the surrounding community.

Importantly, the Plan does not require future development within a "Minimal Change: Developed" area to replicate existing development patterns. Instead, it recognizes that redevelopment may occur at a different intensity while still maintaining overall community character. While surrounding neighborhoods contribute to the area's overall character, the subject property's context is more directly influenced by its frontage along major arterial roadways, access to urban infrastructure, and adjacency to a substantial institutional use. These features reflect an environment planned and built to support a much greater development intensity than the large-lot residential areas located nearby, making the property an appropriate location for evolution in the development pattern contemplated by the Plan with respect to key vacant sites within developed areas.

Consequently, development of the subject property at an intensity greater than nearby single-family neighborhoods would not conflict with the intent of the Plan. Rather, it would be consistent

with the Plan's express recognition that vacant infill sites within developed areas may evolve to a different development pattern when supported by surrounding conditions and community context.



Placetype Analysis: “Suburban Residential”

The Plan's placetype framework is intended to promote context-sensitive development rather than rigid land use prescriptions. Page 22 states:

“By thinking of El Paso County as a collection of unique places, the Master Plan promotes development of places at a neighborhood scale, creating context-appropriate flexibility and an opportunity for compatible change. ***The place-based approach promotes the full potential of vacant and undeveloped properties by allowing them to draw on different types of land uses. The creation of places not only depends on the land uses, but also on their specific design, functionality, access to infrastructure and services, and overall character.***” (emphasis added)

The subject property is shown on the Placetypes map of Your El Paso Master Plan as being within the Suburban Residential Placetype.

Page 28 identifies Single-Family Detached Residential as the primary land use within the Suburban Residential Placetype. However, the Placetype also expressly contemplates a range of supporting uses, including:

- Single-Family Attached Residential
- Multifamily Residential
- Parks/Open Space
- Commercial Retail

- Commercial Services
- Institutional Uses

The inclusion of these supporting uses demonstrates that the Placetype is not intended to consist exclusively of detached single-family residential development.

The Plan further explains on Page 26 that:

The 11 placetypes consist of several land uses arranged in different patterns to provide a range of development intensity. Primary land uses are those that are most prominent and play a pivotal role in characterizing the placetype. ***Supporting land uses are less prevalent and serve an ancillary function that complements the primary land use. For example, Suburban Residential area primarily consists of single-family homes, but can also contain supporting uses such as multi-family,*** limited neighborhood commercial, and parks.
(emphasis added)

A review of this area of the County in the context of the mapped Placetypes in the County Master Plan reveals a significant amount of single-family residential development, particularly within the neighborhoods located immediately east and south of the subject property. The residential development within a three-mile radius is overwhelmingly single-family detached and includes very limited examples of any of the acceptable supporting land uses. It is important to note, however, that the Suburban Residential Placetype also identifies single-family attached and multi-family residential as supporting land uses, both of which would be consistent with the proposed RM-12 and RS-5000 rezoning requests, as evidenced by the list of allowed land uses included above. The Suburban Residential Placetype-designated land in this area of the County is already predominantly developed with single-family detached dwellings, suggesting that the primary land use envisioned by the Placetype is already well represented. By comparison, there are very few examples of the supporting residential land uses specifically contemplated by the Plan. Approval of the proposed rezoning requests and subsequent development of the site pursuant to those new zoning designations can help to introduce much needed supporting land uses to the otherwise homogenous Suburban Residential Placetype designation in this area, thereby not only being consistent with the County's Master Plan but actually supporting and advancing the policies and goals of the Plan and of the respective Suburban Residential Placetype.

The proposed rezoning area is estimated to represent less than one percent (1%) of the land included within the local Suburban Residential Placetype area. This means that the proposed development would not only be a "Supporting Land Use" within the broader context of the expansive single-family residential development that exists today but can also be characterized as supportive and much "less prevalent" in terms of its size and scale relative to the overall Suburban Residential Placetype area.

The inclusion of compatible, but not necessarily identical, residential land uses such as multi-

family and attached single-family housing within the Suburban Residential Placetype demonstrates the flexibility built into the Master Plan's place-based approach. Furthermore, there is no better location within this area to accommodate RM-12 and RS-5000 development than the subject property. Unlike the more isolated single-family neighborhoods located to the south and east, the property fronts both Highway 83 and Highway 105, is adjacent to Monument Academy, can be served by an existing central water and wastewater provider, and is situated along roadway infrastructure designed to accommodate higher traffic volumes and development intensity. These characteristics distinguish the site from the surrounding large-lot and single-family residential areas and make it particularly well suited for the supporting residential land uses anticipated within the Suburban Residential Placetype.

Chapter 4 Housing & Communities

In addition to supporting and being in compliance with the applicable Areas of Change, Key Area, and Placetype designations and policies in Chapter 3 of the Master Plan, the proposed rezonings are also in full alignment with the Residential Priority Development Area designation identified in Chapter 4 of the Plan.

The MA Subdivision property is located within a designated Priority Development Area. The Plan explains that Priority Development Areas were established to accommodate anticipated population growth while efficiently using existing infrastructure and resources:

“El Paso County is expecting significant growth over the next 20 years. While large expanses of undeveloped land exist throughout the County, particularly in the Rural Placetype, development should be prioritized elsewhere to **efficiently utilize and extend existing infrastructure**, conserve water resources, and strengthen established neighborhoods. **This framework identifies specific locations throughout the County that should be prioritized first for new residential development to help accommodate growth.** While some priority development areas may be made up of a mix of plactypes, each area is driven by a predominant plactype that defines most of the area. The map shows some gaps between priority development areas and municipal boundaries. These areas are largely developed already and will continue to develop as necessary. In the following section, numbers are only intended to connect recommendations to the corresponding locations in the County. They are not a hierarchy of priority.” (emphasis added)

Accordingly, the Master Plan expressly identifies the subject property as being within an area that should receive priority consideration for future residential growth.

The subject property is further located within the Black Forest/North Central Priority Development Area, which is described by the Plan as follows:

“Black Forest is a community with one of the strongest and most well-established characters in El Paso County. **This area is built around protecting the forest and**

preserving its rural quality. Due to this natural amenity, many new residents seek to live in this area when moving to the County.

- Careful planning is required to **promote health of natural areas, especially the forest**, while accommodating new development for future residents.
- The County should **maintain existing and expand the Large-Lot Residential place type** in this area in a development pattern that matches the existing character of the developed Black Forest community.
- Commercial nodes should be considered where appropriately served by the transportation network in the northern area to provide commercial goods and services within closer proximity to the population in this area. This would reduce unnecessary travel to other parts of the County and establish key commercial areas within the communities that need them.” (emphasis added)

It should be noted the subject property, as it exists today, is not forested or treed and it does not match the Black Forest character as described in the Master Plan. While the Priority Development Area map identifies portions of the area as Large-Lot Residential, that designation should not be determinative in evaluating Master Plan consistency for the subject property. The Large-Lot Residential Placetype is generally defined as lots of approximately 2.5 acres. However, all of the existing Walden and Walden Preserve developed areas are located within the same Black Forest/North Central Priority Development Area and, at the time of Master Plan adoption, already contained lots of approximately 0.5 acre and 1 acre in size. As such, the mapped Large-Lot Residential designation does not even accurately reflect the existing development pattern in this portion of the Priority Development Area and appears to be a mapping inconsistency rather than an indication of the County's intended land use framework.

In addition to prioritizing development within this area, Chapter 4 also emphasizes the need for a broader range of housing opportunities throughout the County.

Need for Housing Variety (p. 57)

*“Existing multifamily units provide rental housing options, **but the County will need significantly more** throughout the life of this Plan to capture projected growth within the region...It is important that a mix of housing types be developed to **provide options that support market demand and ensure affordability.**”* (emphasis added)

Transitioning with Attached Housing (p. 57)

*“**Single-family attached housing** such as townhomes, rowhomes, and multi-unit apartment homes **should be used to create seamless transitions** between low-intensity and high-intensity neighborhoods as well as nonresidential uses.”* (emphasis added)

These policies directly support the proposed rezoning by encouraging a wider variety of

housing options and recognizing attached housing as an appropriate tool for transitioning between varying intensities of development.

Not only does the Master Plan support the specific rezoning requests as proposed, but it also expressly identifies the subject property as being within a Priority Development Area where residential development is encouraged and prioritized to accommodate future growth within El Paso County.

Chapter 14 Implementation

The proposed rezoning is in conformance with all applicable aspects of the Master Plan, with the exception of the Black Forest/North Central Priority Development Area recommendation regarding Large-Lot Residential development. As discussed above, the designation likely reflects a mapping oversight associated with the preparation of the Master Plan. Nevertheless, the Implementation Chapter of the Master Plan provides clear guidance regarding how consistencies with the Plan should be considered.

The Plan expressly recognizes that a finding of consistency with the Plan does not equate to strict conformity with every single individual policy or recommendation:

“In making this finding, the Planning Commission and Board of County Commissioners are asked to weigh the merits of each individual land use application against all applicable components of the Master Plan. **Approval of a land use application does not necessarily require a finding that the application is fully consistent with each and every applicable component of the Master Plan**, likewise, denial of an application does not necessarily require a finding of inconsistency with all applicable components of the Master Plan. **Both hearing bodies have the discretion to give greater weight to individual components of the Master Plan compared to other components when taking a formal action to either approve**, approve with conditions, or deny an application.” (p.142) (emphasis added)

Here, almost every single one of the applicable Master Plan components support the proposed rezonings. The property is located within a designated Priority Development Area where the Plan specifically encourages residential growth, supports additional housing opportunities, and recognizes the need for a greater variety of housing types to meet future demand.

The Plan further acknowledges that development proposals may arise that were not specifically anticipated when the Master Plan was prepared:

“Some requests may include a proposed use that was not identified or otherwise anticipated within the respective Master Plan Placetype. In this instance, the proposal should not be immediately discounted as inconsistent with the Master Plan, but instead should be evaluated based upon the merits of the proposal for overall consistency with the Plan, compatibility with the surrounding land uses, and whether

the use supports the overall character of the area.” (p. 143)

The proposed rezonings satisfies all of these considerations. They are largely consistent with the overall goals and policies of the Plan, are compatible with the surrounding development pattern and built environment, and they support the continued transition of the area in a manner consistent with residential and institutional character of existing and planned development.

Finally, the Master Plan emphasizes that it was intended to be applied as a flexible policy document rather than a rigid regulatory framework:

“Recognizing that it is impossible to foresee or forecast all future land use or development requests and given the unpredictable nature of land use requests, this Plan was written with the intention of remaining open and flexible. Moving forward, while using the Master Plan as a foundational guide for decision-making, it will be the role of County officials to implement the Plan by making decisions on land use requests in a manner that best fits the needs and vision of El Paso County.” (p. 143)

Even if the Large-Lot Residential recommendation within the Black Forest/North Central Priority Development Area is viewed as inconsistent with the proposed rezoning, it must be noted that the Master Plan expressly states that individual applications need to be evaluated based on their overall consistency with the Plan, which is to say that the various provisions of the Master Plan should not be used as a checklist of sorts, but instead is a guiding document intended to help frame land use decisions for the respective hearing bodies based upon well-established County goals and land use policies.

El Paso County Water Master Plan

The subject property is located within Planning Region 2 of the Water Master Plan, pursuant to Figure 3-1 on page 25, which includes Walden Water and Sanitation District along with several other central water providers. Table 5-3 of the Plan identifies that Region 2 has a current demand of 7,532 acre-feet per year and a current supply of 13,607 acre-feet per year, which results in current excess water supplies in the amount of 6,075 acre-feet per year. Tables 5-4 and 5-5 project Region 2 as continuing to have excess water supplies at year 2040 and at full buildout (2060) in the amount of 1,894 acre-feet and 353 acre-feet, respectively. A Water Resources Report is not required with a rezone application and, therefore, has not been provided. A finding of water sufficiency will be required at the subdivision stage of development.

El Paso County Parks Master Plan

The El Paso County Parks Master Plan (2022) does not depict any planned open space on, or adjacent to the subject property. The Plan depict a planned bicycle route along Highway 83 and Walker Road. Land dedication, or fees in lieu of land dedication are not required at the rezoning

stage of development, but will be required at the final plat stage of development.

2024 Major Transportation Corridors Plan (MTCP)

Map 14. The 2045 Roadway Plan (Classification and Lanes) exhibit of the 2024 El Paso County Major Transportation Corridors Plan (MTCP) identifies Highway 83 to the west of the project as a “Principal Arterial” and Walker Road as a “Minor Arterial”.

Other Topical Elements of the County Master Plan

The proposed rezones are in compliance with the other topical elements of the County Master Plan, including the Master Plan for Mineral Extraction, and the El Paso County Wildlife Habitat Maps and Descriptors.

REZONING CRITERIA #2: *The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116.*

County staff has not identified any issues regarding the proposed rezoning’s compliance with all applicable statutory provisions. Pursuant to state statute and El Paso County’s notification procedures, the County will cause the public hearing notice to be published in the newspaper ensuring all statutory requirements have been satisfied.

REZONING CRITERIA #3: *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.*

The RM-12 (Residential Multi-Family) zone district is intended to accommodate moderate density single-family attached and detached and low-density multi-dwelling development. The RS-5000 (Residential Suburban) zone district is intended to accommodate single-family and two-family residential development. The proposed residential rezonings of the MA Subdivision property are compatible with the existing and permitted residential and institutional land uses and zoning surrounding the site. The property’s location along two major highway corridors, together with its immediate adjacency to the Monument Academy institutional use and low-to-moderate intensity residential areas, creates an appropriate context for multi-family and single-family residential development at the proposed densities. As discussed above, the site is located within a transition area whereas the land east of Monument Academy is moderate density residential and the land within the MA Subdivision is urban. The approved land use pattern and infrastructure supports this transition.

North

Walker Road forms the northern boundary of the property and provides a clear physical and functional separation between the MA Subdivision and the residential parcel located to the north across the roadway. The approximately 20-acre parcel north of Walker Road is developed at a low residential density and is buffered from the subject property by the roadway right-of-way. This separation will appropriately serve as mitigation of any actual or perceived noise, traffic, and/or visual impacts, thus allowing the proposed mixed residential development to coexist in harmony with the lower-density residential uses. Low-density multi-dwelling residential zoning is often considered appropriate along roadway corridors where transitions in residential intensity are expected and supported by centralized utility infrastructure and collector and arterial roadways. Site design standards such as setbacks, landscaping, and buffering can be incorporated later in the overall entitlement process to help ensure a gradual and compatible transition to the existing residential development to the north.

South

The land located immediately south of the property is vacant and proposed for one-half acre residential development. Monument Glamping 2, which is located farther to the south along the east side of Highway 83, consists of 24 glamping sites on approximately 5.95 acres and functions as an overnight lodging and residential-type land use. The proposed rezonings will further the existing transition from the south from large lot to suburban residential to low-density multi-dwelling. The proposed residential zoning is compatible with the existing residential land uses and developed conditions, as both uses can be designed to transition in scale and intensity. Similar to the transition to the north, site design standards including setbacks, landscaping, and buffering should be incorporated later in the overall entitlement process to enhance the land use transition from the existing and proposed land uses located to the south.

West

Highway 83 borders the property to the west and serves as a major regional transportation corridor. The highway right-of-way, which is approximately 120 feet wide, provides a substantial physical and visual separation between the proposed residential development and any land uses located west of the highway corridor. The property located across Highway 83 from the subject property is undeveloped and immediately adjacent to Highway 105. Moderate density single-family attached and detached and low-density multi-dwelling development is typically well-suited along highway corridors, where transportation access supports increased residential intensity and where roadway buffers mitigate potential land use compatibility conflicts. The presence of the highway as a manmade buffer between the subject property and any future development to the west

sensitivity and respect to neighboring properties while supporting appropriate residential density in a location served by central water and wastewater infrastructure, convenient proximity to community facilities, and access to major transportation facilities.

REZONING CRITERIA #4: *The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.*

Table 5-5 of the Land Development Code identifies the density and dimensional standards of the RS-5000 zoning district:

- Minimum Lot Size: 5,000 sq ft ^{7, 13}
- Width (At Front setback Line): 50 ft
- Front Setback: 20 ft ¹³
- Side Setback: 5 ft ¹³
- Rear Setback: 15 ft ¹³
- Maximum Lot Coverage: 40%/45% ¹⁵
- Maximum Height: 30 ft

⁷ Minimum lot area applies to single-family detached dwellings. For two-family dwellings and all other uses a minimum lot area of 7,000 square feet is required.

¹³ If the building is established as or converted to condominium or townhome units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area and setbacks requirements, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements. Within the zoning district, a 25 foot perimeter boundary setback shall be maintained around the entire development, but a zero foot setback is allowed along any internal lot line within the development.

¹⁵ Where a single-story ranch style residence is proposed, the maximum lot coverage may be 45% of the total lot area.

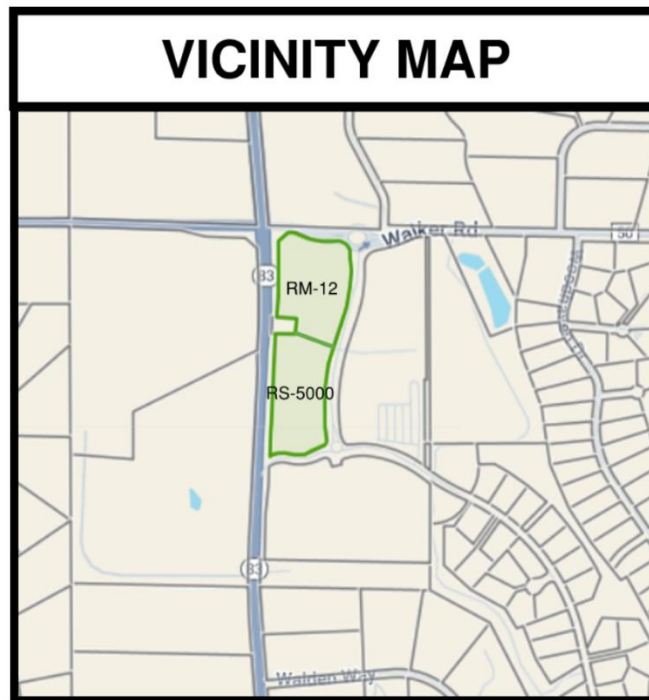
The portion of the property proposed for RS-5000 zoning can be readily developed pursuant to the RS-5000 zoning without requiring variances from the density and dimensional standards identified above.

MA SUBDIVISION TRACT A : RM-12

Map Amendment (Rezoning)

Letter of Intent

September 9, 2026



PCD File No. P2612

MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132

OWNER: MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132

APPLICANT: Vertex Consulting Services, LLC
5825 Delmonico Dr., Suite 320
Colorado Springs, CO 80919

PROPERTY LOCATION: Southeast corner of the Highway 83 and Walker Road intersection

TAX SCHEDULE NO: 6115011001

CURRENT ZONING: RR-5

PROPOSED ZONING: 7.79 acres to RM-12

UTILITY SERVICE:

Mountain View Electric Association (MVEA) provides electric service and Black Hills Energy provides natural gas service to the area. Walden Water and Sanitation District will provide water and wastewater services (see commitment letter).

BACKGROUND:

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Section 2.1.4, Resubmittal of Denied Application, provides the applicable standard directly relating to this zoning application:

No development application which has been denied by the final decision-making authority for such application may be resubmitted unless evidence is presented showing that there has been a substantial change in conditions or circumstances. A substantial change has occurred when the development application is substantially different in a material way from the one previously denied, or the conditions or circumstances surrounding the development application and material to the approval criteria for such application have substantially changed. (emphasis added)

The requested application is completely and substantially different from the prior denied application; it is a new application with materially different proposed zoning. The developer is now requesting to rezone the portion previously requested for RM-30 to the RM-12 zoning district, which represents a decrease in allowed density by more than half of the allowed dwelling units per acre. The developer is also requesting to rezone the portion previously requested for RM-12 to RS-5000, which represents a decrease in density by at least 25% while also removing the allowance for any multi-family dwellings for that portion of the property. These changes are substantial and material to the criteria in Section 2.1.4 included above. Accordingly, the applicant is requesting a finding that the application satisfies Section 2.1.4 as a new application, and that such application should be processed and ultimately be agendized before the Board of County Commissioners for a final decision.

REQUEST:

This is a request for approval of a map amendment (rezone) of 7.79 acres to the RM-12 (Residential Multi-Dwelling) zoning district.

Analysis and Justification:

The following is an analysis of the Map Amendment (Rezoning) criteria included within Section 5.3.5 of the El Paso County Land Development Code and justification for approval:

REZONING CRITERIA #1: *"The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there*

has been a substantial change in the character of the neighborhood since the land was last zoned.”

Your El Paso County Master Plan

Chapter 1 of Your El Paso Master Plan (2021) states that the Plan is “general in nature-it cannot tackle every issue in sufficient detail to determine every type of necessary action.” In addition, Chapter 1 goes on to state that the Plan “is intended to provide clearer and more coordinated policy, resulting in a document that effectively communicates County goals and identifies specific actions to achieve both County-wide and local area objectives.” When taken together, these two statements suggest to the reader that the Plan may only address certain issues at a cursory level and that specific steps or actions for addressing such issues may not be offered within the Plan.

Chapter 3 Land Use

Key Area Analysis: “Tri-Lakes Key Area”

A portion of the property is located within the Tri-Lakes Key Area. The Plan describes the key area as follows:

“Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. ***Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area.*** It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with ***a mixture of housing options***, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. ***Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.*** (emphasis added)

The proposed Map Amendment (Rezoning) will help support the existing character of the Tri-Lakes Key Area by providing additional places of residence for those who commute to work in the Denver Metropolitan Area. The proposed rezoning will allow for a greater variety (mixture) of housing options in the area. Developing additional housing in the area will help strengthen the current residential market as well as generate increased sales for any existing and future commercial uses in the area.

The map below shows the location of the site with respect to the rest of the Tri-Lakes Key Area. The context provided by this exhibit supports the proposed RM-12 and RS-5000 rezoning, as the site is uniquely situated adjacent to both Highway 83 and Monument Academy Charter School, distinguishing it from much of the surrounding Key Area. Monument Academy serves as a transition between the existing Walden development, which consists predominantly of residential lots ranging from 0.5 to one acre in size, and the more urban MA Subdivision development. As discussed in the Background Section above, El Paso County has historically planned for the land included within the MA Subdivision to develop in an urban manner. Accordingly, the developer was required to construct urban public improvements based on El Paso County's and CDOT's longstanding vision for more intensive development on this site than within the remainder of Walden. The proposed rezonings are consistent with this historic planning framework and the established development pattern in the immediate vicinity. By providing a mix of residential densities through the RM-12 and RS-5000 zoning districts, the proposed rezonings will help reinforce the long-standing planning expectations for the site as a transition area, its alignment with the existing character of the surrounding community, and its ability to strengthen residential housing opportunities within the Tri-Lakes Key Area.

Additionally, other locations in the Tri-Lakes Key Area would not be appropriate for increased residential densities due to concerns over infrastructure availability and capacity (e.g. water, wastewater, and roadways). The subject property is served by the Walden Corporation, which has excess water and wastewater capacity. The adjacent roadways have already been constructed to an urban cross-section with planned driveway curb cuts into the subject property to allow for internal roadway connections. As the Tri-Lakes Key Area continues to build out the most logical location for meaningful residential growth is along highway corridors in areas served by centralized services in unincorporated El Paso County, all of which are directly consistent with this map amendment (rezoning) request.



Area of Change Analysis: “Minimal Change: Developed”

The subject property is identified in the Areas of Change map within the Plan as being within the “Minimal Change: Developed” area of change.

“Minimal Change: Developed” Area of Change

Page 21 of the Plan characterizes areas of “Minimal Change: Developed” by stating:

“These areas have undergone development and have an established character. Developed areas of minimal change are largely built out ***but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment*** that will significantly impact the character of an area. ***For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population.*** The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.” (emphasis added)

The subject property directly reflects the conditions contemplated by the Plan. While a portion of the site is located within an area designated “Minimal Change: Developed,” the property itself remains vacant and undeveloped. As such, it represents one of the “isolated pockets of vacant or underutilized land” specifically identified by the Plan as appropriate for redevelopment and potential increases in intensity.

Rather than discouraging change, the Plan expressly recognizes that vacant sites within otherwise

developed areas may experience more intensive infill development and redevelopment that differs from surrounding patterns, provided the resulting development responds to the broader context and preserves the area's overall character. Accordingly, the subject property should not be evaluated solely against nearby lower-density residential development, but rather within the context of the site's unique characteristics, surrounding land uses, and strategic location.

Several factors distinguish the property from much of the surrounding area and support a development pattern that differs from adjacent detached single-family neighborhoods:

- Frontage along both Highway 83 and Highway 105, two significant regional transportation corridors;
- Availability of central water and wastewater infrastructure;
- Immediate adjacency to a major public institution, which is Monument Academy; and
- Being located at the intersection of community-serving facilities, regional transportation infrastructure, and established residential neighborhoods.

These characteristics create a context that is fundamentally different from other existing residential subdivisions located farther south and east in areas that are substantially further away from the existing highways. The site functions as a transition area between neighborhood-scale residential uses and higher-activity corridors that serve the broader community.

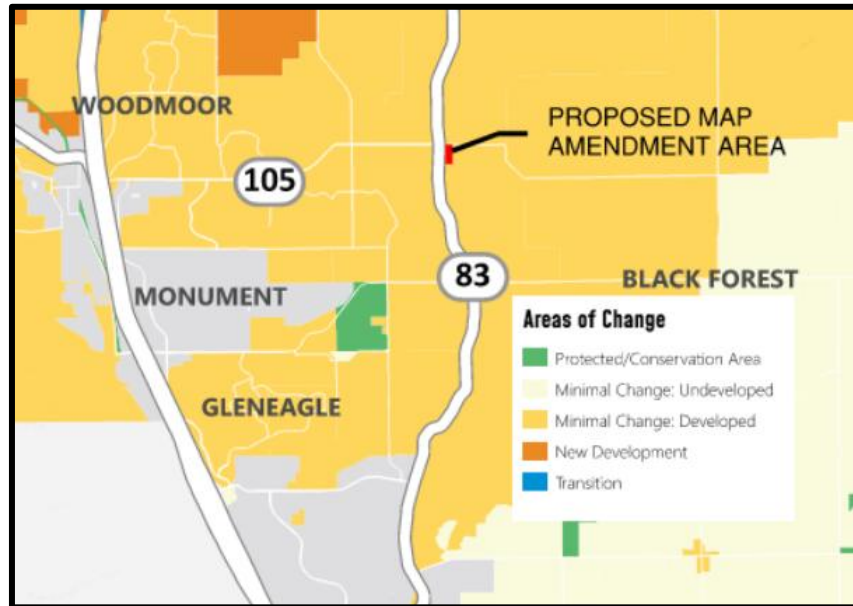
The property's adjacency to Monument Academy is particularly significant, as it establishes an institutional context that supports development patterns characterized by:

- Increased pedestrian activity and multimodal access;
- Building forms and site layouts compatible with civic, educational, and community-serving uses;
- Enhanced visibility, safety, and connectivity; and
- Opportunities for complementary uses that support students, families, and the surrounding community.

Importantly, the Plan does not require future development within a "Minimal Change: Developed" area to replicate existing development patterns. Instead, it recognizes that redevelopment may occur at a different intensity while still maintaining overall community character. While surrounding neighborhoods contribute to the area's overall character, the subject property's context is more directly influenced by its frontage along major arterial roadways, access to urban infrastructure, and adjacency to a substantial institutional use. These features reflect an environment planned and built to support a much greater development intensity than the large-lot residential areas located nearby, making the property an appropriate location for evolution in the development pattern contemplated by the Plan with respect to key vacant sites within developed areas.

Consequently, development of the subject property at an intensity greater than nearby single-family neighborhoods would not conflict with the intent of the Plan. Rather, it would be consistent

with the Plan's express recognition that vacant infill sites within developed areas may evolve to a different development pattern when supported by surrounding conditions and community context.



Placetype Analysis: “Suburban Residential”

The Plan's placetype framework is intended to promote context-sensitive development rather than rigid land use prescriptions. Page 22 states:

“By thinking of El Paso County as a collection of unique places, the Master Plan promotes development of places at a neighborhood scale, creating context-appropriate flexibility and an opportunity for compatible change. ***The place-based approach promotes the full potential of vacant and undeveloped properties by allowing them to draw on different types of land uses. The creation of places not only depends on the land uses, but also on their specific design, functionality, access to infrastructure and services, and overall character.***” (emphasis added)

The subject property is shown on the Placetypes map of Your El Paso Master Plan as being within the Suburban Residential Placetype.

Page 28 identifies Single-Family Detached Residential as the primary land use within the Suburban Residential Placetype. However, the Placetype also expressly contemplates a range of supporting uses, including:

- Single-Family Attached Residential
- Multifamily Residential
- Parks/Open Space
- Commercial Retail

- Commercial Services
- Institutional Uses

The inclusion of these supporting uses demonstrates that the Placetype is not intended to consist exclusively of detached single-family residential development.

The Plan further explains on Page 26 that:

The 11 placetypes consist of several land uses arranged in different patterns to provide a range of development intensity. Primary land uses are those that are most prominent and play a pivotal role in characterizing the placetype. ***Supporting land uses are less prevalent and serve an ancillary function that complements the primary land use. For example, Suburban Residential area primarily consists of single-family homes, but can also contain supporting uses such as multi-family,*** limited neighborhood commercial, and parks.
(emphasis added)

A review of this area of the County in the context of the mapped Placetypes in the County Master Plan reveals a significant amount of single-family residential development, particularly within the neighborhoods located immediately east and south of the subject property. The residential development within a three-mile radius is overwhelmingly single-family detached and includes very limited examples of any of the acceptable supporting land uses. It is important to note, however, that the Suburban Residential Placetype also identifies single-family attached and multi-family residential as supporting land uses, both of which would be consistent with the proposed RM-12 and RS-5000 rezoning requests, as evidenced by the list of allowed land uses included above. The Suburban Residential Placetype-designated land in this area of the County is already predominantly developed with single-family detached dwellings, suggesting that the primary land use envisioned by the Placetype is already well represented. By comparison, there are very few examples of the supporting residential land uses specifically contemplated by the Plan. Approval of the proposed rezoning requests and subsequent development of the site pursuant to those new zoning designations can help to introduce much needed supporting land uses to the otherwise homogenous Suburban Residential Placetype designation in this area, thereby not only being consistent with the County's Master Plan but actually supporting and advancing the policies and goals of the Plan and of the respective Suburban Residential Placetype.

The proposed rezoning area is estimated to represent less than one percent (1%) of the land included within the local Suburban Residential Placetype area. This means that the proposed development would not only be a "Supporting Land Use" within the broader context of the expansive single-family residential development that exists today but can also be characterized as supportive and much "less prevalent" in terms of its size and scale relative to the overall Suburban Residential Placetype area.

The inclusion of compatible, but not necessarily identical, residential land uses such as multi-

family and attached single-family housing within the Suburban Residential Placetype demonstrates the flexibility built into the Master Plan's place-based approach. Furthermore, there is no better location within this area to accommodate RM-12 and RS-5000 development than the subject property. Unlike the more isolated single-family neighborhoods located to the south and east, the property fronts both Highway 83 and Highway 105, is adjacent to Monument Academy, can be served by an existing central water and wastewater provider, and is situated along roadway infrastructure designed to accommodate higher traffic volumes and development intensity. These characteristics distinguish the site from the surrounding large-lot and single-family residential areas and make it particularly well suited for the supporting residential land uses anticipated within the Suburban Residential Placetype.

Chapter 4 Housing & Communities

In addition to supporting and being in compliance with the applicable Areas of Change, Key Area, and Placetype designations and policies in Chapter 3 of the Master Plan, the proposed rezonings are also in full alignment with the Residential Priority Development Area designation identified in Chapter 4 of the Plan.

The MA Subdivision property is located within a designated Priority Development Area. The Plan explains that Priority Development Areas were established to accommodate anticipated population growth while efficiently using existing infrastructure and resources:

“El Paso County is expecting significant growth over the next 20 years. While large expanses of undeveloped land exist throughout the County, particularly in the Rural Placetype, development should be prioritized elsewhere to **efficiently utilize and extend existing infrastructure**, conserve water resources, and strengthen established neighborhoods. **This framework identifies specific locations throughout the County that should be prioritized first for new residential development to help accommodate growth.** While some priority development areas may be made up of a mix of plactypes, each area is driven by a predominant plactype that defines most of the area. The map shows some gaps between priority development areas and municipal boundaries. These areas are largely developed already and will continue to develop as necessary. In the following section, numbers are only intended to connect recommendations to the corresponding locations in the County. They are not a hierarchy of priority.” (emphasis added)

Accordingly, the Master Plan expressly identifies the subject property as being within an area that should receive priority consideration for future residential growth.

The subject property is further located within the Black Forest/North Central Priority Development Area, which is described by the Plan as follows:

“Black Forest is a community with one of the strongest and most well-established characters in El Paso County. **This area is built around protecting the forest and**

preserving its rural quality. Due to this natural amenity, many new residents seek to live in this area when moving to the County.

- Careful planning is required to **promote health of natural areas, especially the forest**, while accommodating new development for future residents.
- The County should **maintain existing and expand the Large-Lot Residential place type** in this area in a development pattern that matches the existing character of the developed Black Forest community.
- Commercial nodes should be considered where appropriately served by the transportation network in the northern area to provide commercial goods and services within closer proximity to the population in this area. This would reduce unnecessary travel to other parts of the County and establish key commercial areas within the communities that need them.” (emphasis added)

It should be noted the subject property, as it exists today, is not forested or treed and it does not match the Black Forest character as described in the Master Plan. While the Priority Development Area map identifies portions of the area as Large-Lot Residential, that designation should not be determinative in evaluating Master Plan consistency for the subject property. The Large-Lot Residential Placetype is generally defined as lots of approximately 2.5 acres. However, all of the existing Walden and Walden Preserve developed areas are located within the same Black Forest/North Central Priority Development Area and, at the time of Master Plan adoption, already contained lots of approximately 0.5 acre and 1 acre in size. As such, the mapped Large-Lot Residential designation does not even accurately reflect the existing development pattern in this portion of the Priority Development Area and appears to be a mapping inconsistency rather than an indication of the County's intended land use framework.

In addition to prioritizing development within this area, Chapter 4 also emphasizes the need for a broader range of housing opportunities throughout the County.

Need for Housing Variety (p. 57)

*“Existing multifamily units provide rental housing options, **but the County will need significantly more** throughout the life of this Plan to capture projected growth within the region...It is important that a mix of housing types be developed to **provide options that support market demand and ensure affordability.**”* (emphasis added)

Transitioning with Attached Housing (p. 57)

*“**Single-family attached housing** such as townhomes, rowhomes, and multi-unit apartment homes **should be used to create seamless transitions** between low-intensity and high-intensity neighborhoods as well as nonresidential uses.”* (emphasis added)

These policies directly support the proposed rezoning by encouraging a wider variety of

housing options and recognizing attached housing as an appropriate tool for transitioning between varying intensities of development.

Not only does the Master Plan support the specific rezoning requests as proposed, but it also expressly identifies the subject property as being within a Priority Development Area where residential development is encouraged and prioritized to accommodate future growth within El Paso County.

Chapter 14 Implementation

The proposed rezoning is in conformance with all applicable aspects of the Master Plan, with the exception of the Black Forest/North Central Priority Development Area recommendation regarding Large-Lot Residential development. As discussed above, the designation likely reflects a mapping oversight associated with the preparation of the Master Plan. Nevertheless, the Implementation Chapter of the Master Plan provides clear guidance regarding how consistencies with the Plan should be considered.

The Plan expressly recognizes that a finding of consistency with the Plan does not equate to strict conformity with every single individual policy or recommendation:

“In making this finding, the Planning Commission and Board of County Commissioners are asked to weigh the merits of each individual land use application against all applicable components of the Master Plan. **Approval of a land use application does not necessarily require a finding that the application is fully consistent with each and every applicable component of the Master Plan**, likewise, denial of an application does not necessarily require a finding of inconsistency with all applicable components of the Master Plan. **Both hearing bodies have the discretion to give greater weight to individual components of the Master Plan compared to other components when taking a formal action to either approve, approve with conditions, or deny an application.**” (p.142) (emphasis added)

Here, almost every single one of the applicable Master Plan components support the proposed rezonings. The property is located within a designated Priority Development Area where the Plan specifically encourages residential growth, supports additional housing opportunities, and recognizes the need for a greater variety of housing types to meet future demand.

The Plan further acknowledges that development proposals may arise that were not specifically anticipated when the Master Plan was prepared:

“Some requests may include a proposed use that was not identified or otherwise anticipated within the respective Master Plan Placetype. In this instance, the proposal should not be immediately discounted as inconsistent with the Master Plan, but instead should be evaluated based upon the merits of the proposal for overall consistency with the Plan, compatibility with the surrounding land uses, and whether

the use supports the overall character of the area.” (p. 143)

The proposed rezonings satisfies all of these considerations. They are largely consistent with the overall goals and policies of the Plan, are compatible with the surrounding development pattern and built environment, and they support the continued transition of the area in a manner consistent with residential and institutional character of existing and planned development.

Finally, the Master Plan emphasizes that it was intended to be applied as a flexible policy document rather than a rigid regulatory framework:

“Recognizing that it is impossible to foresee or forecast all future land use or development requests and given the unpredictable nature of land use requests, this Plan was written with the intention of remaining open and flexible. Moving forward, while using the Master Plan as a foundational guide for decision-making, it will be the role of County officials to implement the Plan by making decisions on land use requests in a manner that best fits the needs and vision of El Paso County.” (p. 143)

Even if the Large-Lot Residential recommendation within the Black Forest/North Central Priority Development Area is viewed as inconsistent with the proposed rezoning, it must be noted that the Master Plan expressly states that individual applications need to be evaluated based on their overall consistency with the Plan, which is to say that the various provisions of the Master Plan should not be used as a checklist of sorts, but instead is a guiding document intended to help frame land use decisions for the respective hearing bodies based upon well-established County goals and land use policies.

El Paso County Water Master Plan

The subject property is located within Planning Region 2 of the Water Master Plan, pursuant to Figure 3-1 on page 25, which includes Walden Water and Sanitation District along with several other central water providers. Table 5-3 of the Plan identifies that Region 2 has a current demand of 7,532 acre-feet per year and a current supply of 13,607 acre-feet per year, which results in current excess water supplies in the amount of 6,075 acre-feet per year. Tables 5-4 and 5-5 project Region 2 as continuing to have excess water supplies at year 2040 and at full buildout (2060) in the amount of 1,894 acre-feet and 353 acre-feet, respectively. A Water Resources Report is not required with a rezone application and, therefore, has not been provided. A finding of water sufficiency will be required at the subdivision stage of development.

El Paso County Parks Master Plan

The El Paso County Parks Master Plan (2022) does not depict any planned open space on, or adjacent to the subject property. The Plan depict a planned bicycle route along Highway 83 and Walker Road. Land dedication, or fees in lieu of land dedication are not required at the rezoning

stage of development, but will be required at the final plat stage of development.

2024 Major Transportation Corridors Plan (MTCP)

Map 14. The 2045 Roadway Plan (Classification and Lanes) exhibit of the 2024 El Paso County Major Transportation Corridors Plan (MTCP) identifies Highway 83 to the west of the project as a “Principal Arterial” and Walker Road as a “Minor Arterial”.

Other Topical Elements of the County Master Plan

The proposed rezones are in compliance with the other topical elements of the County Master Plan, including the Master Plan for Mineral Extraction, and the El Paso County Wildlife Habitat Maps and Descriptors.

REZONING CRITERIA #2: *The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116.*

County staff has not identified any issues regarding the proposed rezoning’s compliance with all applicable statutory provisions. Pursuant to state statute and El Paso County’s notification procedures, the County will cause the public hearing notice to be published in the newspaper ensuring all statutory requirements have been satisfied.

REZONING CRITERIA #3: *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.*

The RM-12 (Residential Multi-Family) zone district is intended to accommodate moderate density single-family attached and detached and low-density multi-dwelling development. The RS-5000 (Residential Suburban) zone district is intended to accommodate single-family and two-family residential development. The proposed residential rezonings of the MA Subdivision property are compatible with the existing and permitted residential and institutional land uses and zoning surrounding the site. The property’s location along two major highway corridors, together with its immediate adjacency to the Monument Academy institutional use and low-to-moderate intensity residential areas, creates an appropriate context for multi-family and single-family residential development at the proposed densities. As discussed above, the site is located within a transition area whereas the land east of Monument Academy is moderate density residential and the land within the MA Subdivision is urban. The approved land use pattern and infrastructure supports this transition.

North

Walker Road forms the northern boundary of the property and provides a clear physical and functional separation between the MA Subdivision and the residential parcel located to the north across the roadway. The approximately 20-acre parcel north of Walker Road is developed at a low residential density and is buffered from the subject property by the roadway right-of-way. This separation will appropriately serve as mitigation of any actual or perceived noise, traffic, and/or visual impacts, thus allowing the proposed mixed residential development to coexist in harmony with the lower-density residential uses. Low-density multi-dwelling residential zoning is often considered appropriate along roadway corridors where transitions in residential intensity are expected and supported by centralized utility infrastructure and collector and arterial roadways. Site design standards such as setbacks, landscaping, and buffering can be incorporated later in the overall entitlement process to help ensure a gradual and compatible transition to the existing residential development to the north.

South

The land located immediately south of the property is vacant and proposed for one-half acre residential development. Monument Glamping 2, which is located farther to the south along the east side of Highway 83, consists of 24 glamping sites on approximately 5.95 acres and functions as an overnight lodging and residential-type land use. The proposed rezonings will further the existing transition from the south from large lot to suburban residential to low-density multi-dwelling. The proposed residential zoning is compatible with the existing residential land uses and developed conditions, as both uses can be designed to transition in scale and intensity. Similar to the transition to the north, site design standards including setbacks, landscaping, and buffering should be incorporated later in the overall entitlement process to enhance the land use transition from the existing and proposed land uses located to the south.

West

Highway 83 borders the property to the west and serves as a major regional transportation corridor. The highway right-of-way, which is approximately 120 feet wide, provides a substantial physical and visual separation between the proposed residential development and any land uses located west of the highway corridor. The property located across Highway 83 from the subject property is undeveloped and immediately adjacent to Highway 105. Moderate density single-family attached and detached and low-density multi-dwelling development is typically well-suited along highway corridors, where transportation access supports increased residential intensity and where roadway buffers mitigate potential land use compatibility conflicts. The presence of the highway as a manmade buffer between the subject property and any future development to the west

sensitivity and respect to neighboring properties while supporting appropriate residential density in a location served by central water and wastewater infrastructure, convenient proximity to community facilities, and access to major transportation facilities.

REZONING CRITERIA #4: *The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.*

Table 5-5 of the Land Development Code identifies the density and dimensional standards of the RM-12 zoning district:

- Maximum Density: 12 DU/ac
- Minimum Lot Size: 3,500 sq ft ^{1, 2}
- Front Setback: 20 ft ^{2, 3}
- Side Setback: 5 ft ^{2, 3}
- Rear Setback: 15 ft ^{2, 3}
- Maximum Lot Coverage: 70%
- Maximum Height: 40 ft

¹ The minimum lot area of 3,500 square feet applies to single family attached dwellings. The minimum lot area for single-family detached dwelling units is 3,500 square feet. The minimum lot area for two-family dwellings and all other allowed uses is 7,000 square feet. Central water and wastewater services are required regardless of lot size or conforming status.

² If the building is established as or converted to condominium or townhome units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area and setbacks requirements, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements. Within the zoning district, a 25 foot perimeter boundary setback shall be maintained around the entire development, but a zero foot setback is allowed along any internal lot line within the development.

³ The minimum distance between buildings shall be 10 feet.

The portion of the property proposed for RM-12 zoning can be readily developed pursuant to the RM-12 zoning without requiring variances from the density and dimensional standards identified above.

MA Subdivision Tract A RS-5000 Map Amendment

A Portion of the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado

LEGAL DESCRIPTION:
That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying south of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado, additionally described as follows;

Beginning at a point on westerly line of said Tract A on the southerly line of the AT&T Parcel as described in Book 2086 at Page 528 in said official records;

THENCE the following two (2) courses coincident with said southerly line, and the easterly line of said AT&T Parcel:

- 1)S86°46'06"E a distance of 146.40 feet;
- 2)N03°04'22"E, non-tangent with the following described curve, a distance of 15.00 feet to the centerline of said access easement;

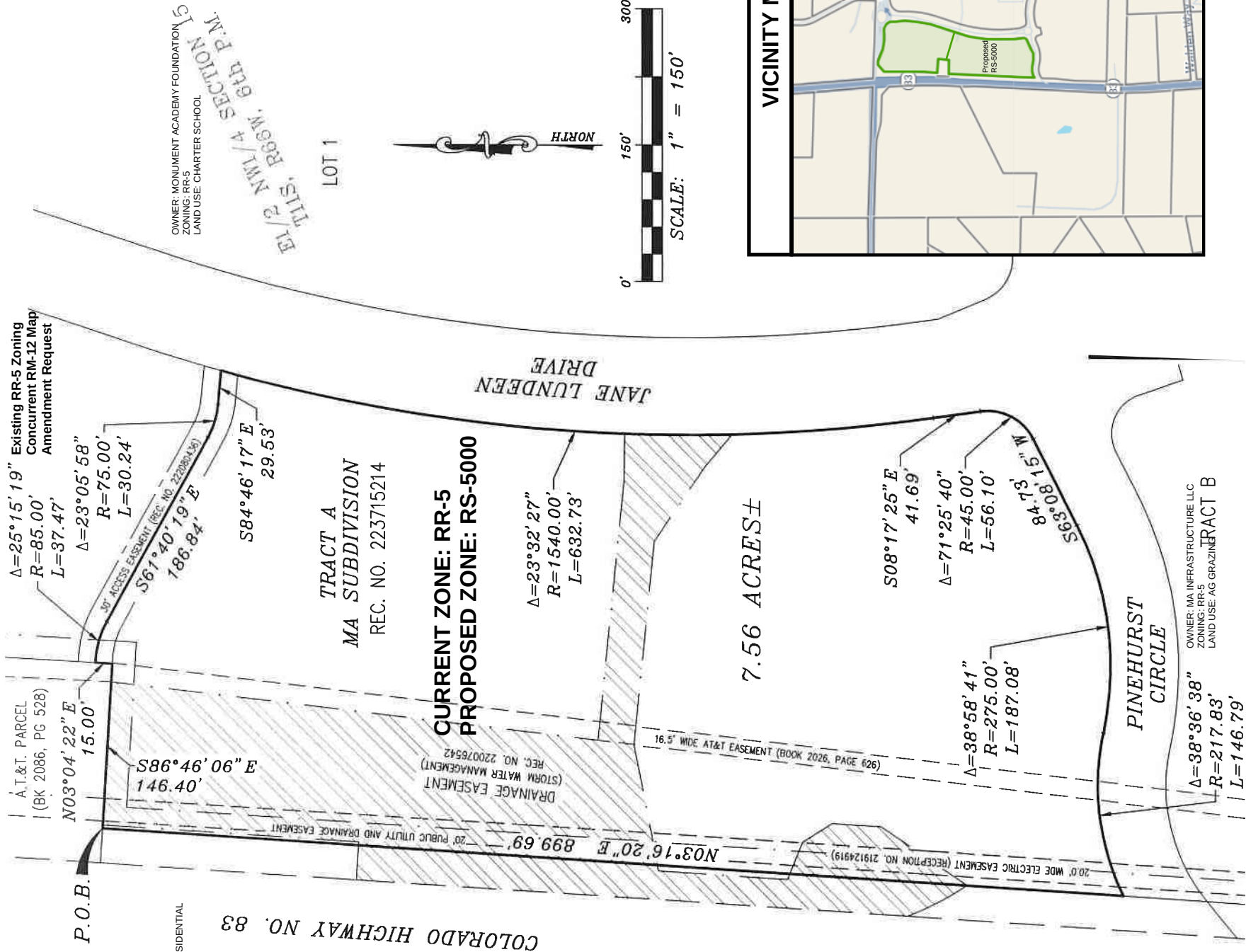
THENCE the following four (4) courses coincident with said centerline:

- 1)Along the arc of a curve to the right, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of S74°17'59"E a distance of 37.16 feet, and an arc distance of 37.47 feet;
- 2)S61°40'19"E, tangent with the last and following described curves, a distance of 186.84 feet;
- 3)Along the arc of a curve to the left having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of S73°13'18"E a distance of 30.03 feet, and an arc distance of 30.24 feet;
- 4)S84°46'17"E, tangent with the last described curve and non-tangent with the following described curve, a distance of 29.53 feet, to the easterly line of said Tract A;

THENCE the following seven (7) courses coincident with said easterly line, the southerly line, and said westerly line of said Tract A:

- 1)Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 23°32'27", a chord bearing of S03°28'29"W, a distance of 628.29 feet; and an arc distance of 632.73 feet;
- 2)S08°17'25"E, tangent with the last and following described curves, a distance of 41.69 feet;
- 3)Along the arc of a curve to the right having a radius of 45.00 feet, a central angle 71°25'40", a chord bearing of S27°25'25"W a distance of 52.54 feet, and an arc distance of 56.10 feet;
- 4)S63°08'15"W, tangent with the last and following described curves, a distance of 84.73 feet;
- 5)Along the arc of a curve to the right having a radius of 275.00 feet, a central angle of 38°58'41", a chord bearing of S82°37'36"W a distance of 183.49 feet, and an arc distance of 187.08 feet;
- 6)Along the arc of a reverse curve to the left having a radius of 217.83 feet, a central angle of 38°36'38", a chord bearing of S82°48'38"W a distance of 144.03 feet, and an arc distance of 146.79 feet;
- 7)N03°16'20"E, non-tangent with the last described curve, a distance of 899.69 feet to the Point of Beginning.

Said parcel contains 7.56 acres more or less.



GENERAL NOTES

OWNER
MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132
(719) 339-2410

PREPARER:

VERTEX

Consulting Services
455 E. Pikes Peak Avenue, Suite 101
Colorado Springs, Colorado 80903
719-733-8605

PROJECT NO. P26XX

DATE 9/9/26

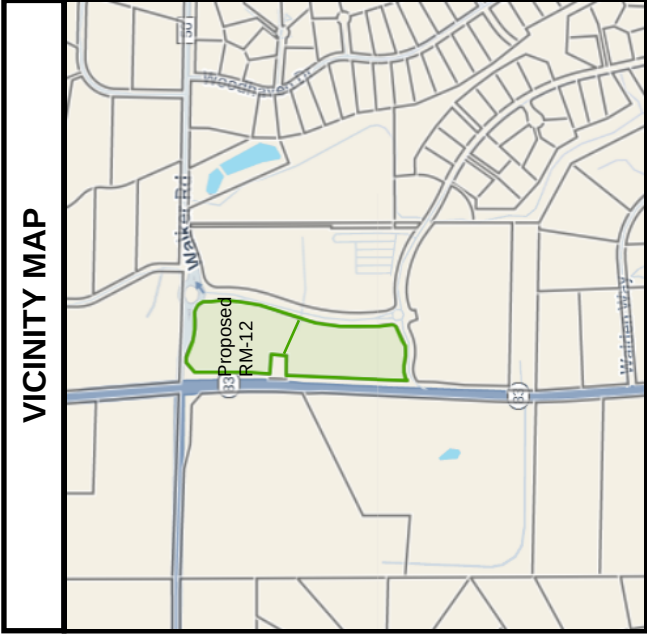
PREPARED BY CAD

1 of 1

VICINITY MAP

MA Subdivision Tract A RM-12 Map Amendment

A Portion of the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado



LEGAL DESCRIPTION:
That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying north of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado, additionally described as follows;

Beginning at a point on westerly line of said Tract A on the northerly line of the AT&T Parcel as described in Book 2086 at Page 528 in said official records;

THENCE the following eleven (11) courses coincident with said westerly line, and the northerly and easterly lines of said Tract A:

- 1)N04°02'11"E, tangent with the following described curve, a distance of 16.74 feet;
- 2)Along the arc of a curve to the left, having a radius of 5830.00 feet, a central angle of 05°20'18", a chord bearing of N00°33'35"E a distance of 543.00 feet, and an arc distance of 543.19 feet;
- 3)N46°03'44"E, a distance of 87.03 feet;
- 4)S88°12'16"E, non-tangent with the following described curve, distance of 42.80 feet;
- 5)Along the arc of a curve to the right, having a radius of 70.00 feet, a central angle of 21°26'18", a chord bearing of S77°29'07"E a distance of 26.04 feet, and an arc distance of 26.19 feet;
- 6)S66°45'58"E, tangent with the last and following described curves, a distance of 96.19 feet;
- 7)Along the arc of a curve to the left, having a radius of 344.49 feet, a central angel of 31°40'13", a chord bearing of S82°36'04"E a distance of 188.00 feet, and an arc distance of 190.42 feet;
- 8)Along the arc of a reverse curve to the right, having a radius of 87.00 feet, a central angle of 89°13'50", a chord bearing of S53°49'15"E a distance of 122.21, and an arc distance of 135.49 feet;
- 9)Along the arc of a tangent curve to the right, having a radius of 987.87 feet, a central angle of 27°30'10", a chord bearing of S04°32'45"W a distance of 469.65 feet, and an arc distance of 474.19 feet;
- 10)S18°17'50"W, tangent with the last and following described curve, a distance of 163.45 feet;
- 11)Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 03°03'08", a chord bearing of S16°46'16"W a distance of 82.02 feet, and an arc distance of 82.03 feet to the centerline of said access easement;

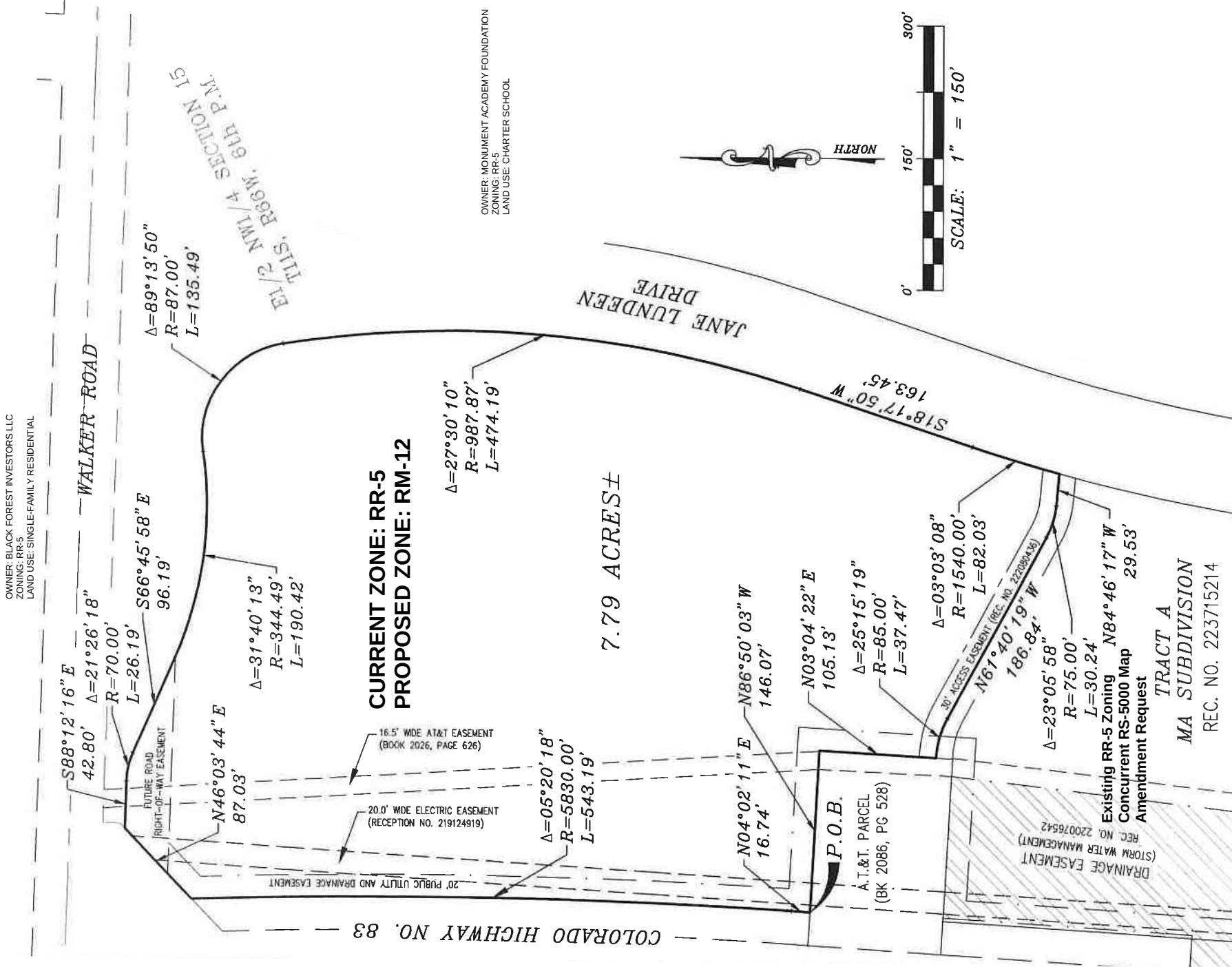
THENCE the following four (4) courses coincident with said centerline:

- 1)N84°46'17"W, non-tangent with the last described curve and tangent with the following described curve, a distance of 29.53 feet;
- 2)Along the arc of a curve to the right having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of N73°13'18"W a distance of 30.03 feet, and an arc distance of 30.24 feet;
- 3)N61°40'19"W, tangent with the last and following described curves, a distance of 186.84 feet;
- 4)Along the arc of a curve to the left, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of N74°17'59"W a distance of 37.16 feet, and an arc distance of 37.47 feet, to the easterly line of said AT&T Parcel;

THENCE the following two (2) courses coincident with said easterly line, and the northerly line of said parcel:

- 1)N03°04'22"E, non-tangent with the last described curve, a distance of 105.13 feet;
- 2)N86°50'03"W, a distance of 146.07 feet to the Point of Beginning.

Said parcel contains 7.79 acres more or less.



Walden Corporation
PO Box 1870
Monument, CO 80132

August 11, 2026

MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132

RE: MA Subdivision Tract A Rezone (RM-12 & RS-5000)

Water and Sewer Commitment

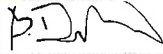
Dear Mr. Dunston :

It is our understanding that MA Infrastructure LLC (the "Developer") is interested in obtaining water and sewer services from the Walden Corporation for the property known as **MA Subdivision Tract A** (the "Development"). It is our understanding that the Development consists of a map amendment (rezone) request to the RM-12 and RS-5000 zoning districts.

Walden Corporation will provide water and sewer service to the Development in accordance with the Corporation's Rules and Regulations. Walden Corporation understands that all water rights associated with the Development will be appropriately conveyed at the subsequent subdivision stage of development. During the subdivision stage of development, the Corporation will review the subdivision documents to include the associated construction drawings and easements to ensure compliance with the Corporation's Rules and Regulations.

The Walden Corporation hereby provides commitment to serve water and sewer services for the Development known as **MA Subdivision Tract A**.

Walden Corporation

DocuSigned by:

01010250542B402...

Bill Dunston

8/11/2026

Signature

Name

Date

PUBLIC OPPOSITION PACKET

P2611 AND P2612

From El Paso County Community Group

P2611 & P2612

Rezoning Requests

Visual Summary Packet

Master Plan · Compatibility · Road & Traffic Safety

Same land. Same arguments. Same reasons to deny.

6–1

Planning Commission voted
to recommend denial of
P261/P262, June 18, 2026

3–2

Board of County
Commissioners denied P261
and P262, July 23, 2026

97%

of 268 public comments on
P261/P262 opposed (261
comments)

Oct. 1

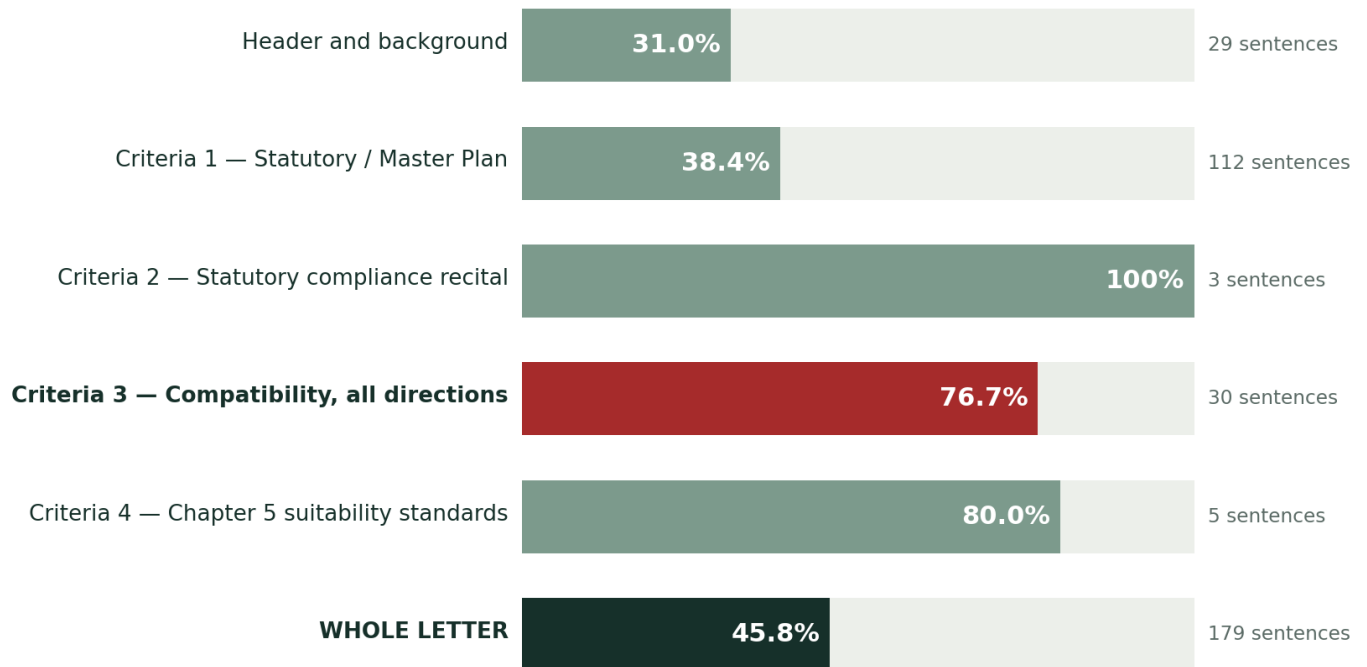
Black Forest Land Use
Committee recommended
denial of both new filings

INSIDE

- 2** Summary chart: the applicant's case, side by side
- 3–4** Master Plan conformance
- 5–6** Compatibility in all directions
- 7–9** Road & traffic safety
- 10** The four required findings, and sources

Same Land. Same Argument. New Zoning Labels.

How much of each section of the new Letters of Intent (P2611 / P2612) is **repeated from the denied letters** (P261 / P262)? The Monument Independent compared all four letters sentence by sentence.



76.7%

of the compatibility section — the finding the Commission cited in June — is recycled from the denied letters. Where sentences changed, the zoning label changed, not the argument.

96.1%

The two new letters are nearly identical to each other: 172 of 179 sentences appear word for word in both.

45.8%

of the whole letter is restated; 97 of 179 sentences are genuinely new. The adjustment: RM-30 dropped, RS-5000 added, RM-12 kept.

Why it matters: if the reasoning did not satisfy the criteria in June and July, it does not satisfy them today. “Less dense than a denied proposal” is not a rezoning criterion.

Source: The Monument Independent, “The Walker Road Rezoning Came Back with New Numbers and the Old Argument,” Sept. 29, 2026; P2611/P2612 and P261/P262 Letters of Intent. Section labels follow the letters’ own numbering.

The Plan Says: Maintain and Expand Large-Lot Residential

RR-5

Current zoning · single tax parcel 6115011001

Large-Lot Residential

Master Plan placetype

Minimal Change

Master Plan area designation

CRITERIA 3 · MASTER PLAN CONFORMANCE

The Two-Part Test — Neither Alternative Is Met

LDC §5.3.5 requires ONE of the following:

General Conformance

with the El Paso County Master Plan

- ✗ Area designated Large-Lot Residential
- ✗ Plan directs this placetype be EXPANDED here
- ✗ Staff acknowledges multiple plan conflicts

NOT MET

OR

Substantial Change

in neighborhood character since last zoned

- ✗ Area designated "Minimal Change: Developed"
- ✗ Surrounding RR-2.5 / RR-5 lots remain unchanged
- ✗ Growth ≠ a change in fundamental character

NOT MET

If housing demand or highway proximity alone satisfied this criterion, the Master Plan would be meaningless for any rezoning request.

LDC §5.3.5 requires general conformance with the Master Plan OR a substantial change in neighborhood character. Neither alternative is met.

WHAT THE PLAN DIRECTS

"The county should maintain existing and expand the large lot residential place type in this area."

Master Plan, Large-Lot Residential priority development area

WHAT "MINIMAL CHANGE" MEANS

"Any development that would occur is minor in nature" and "overall character should be maintained."

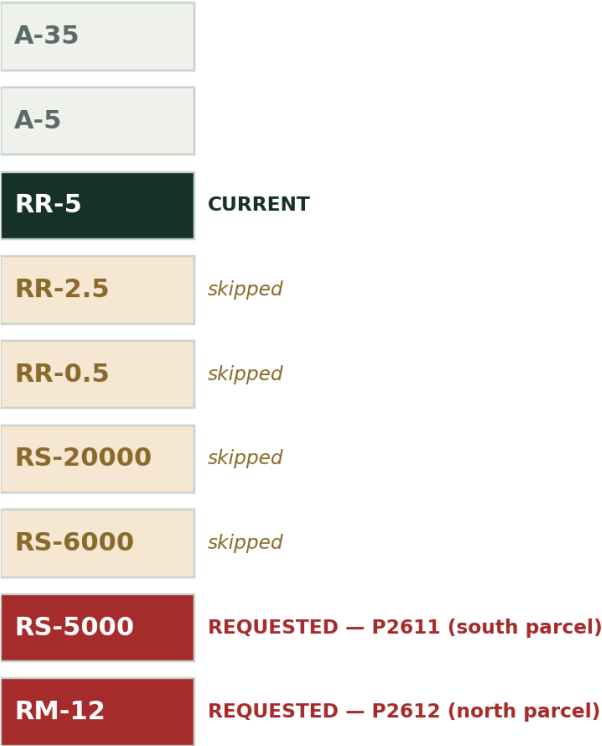
County planner Kari Parsons, on the hearing record

Priority development ≠ density authorization. The Priority Development framework decides *where* growth should go; it does not say *at what density*. RS-5000 and RM-12 are not anticipated anywhere in the Plan for this location.

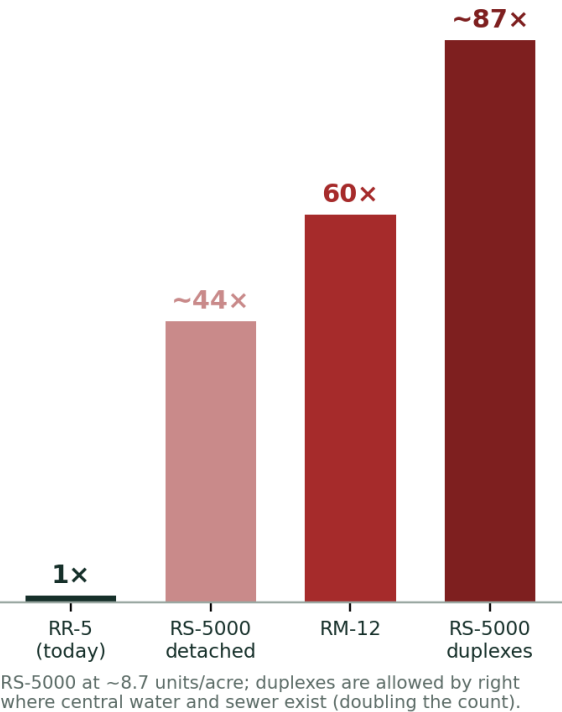
No Step Between 5-Acre Lots and RM-12 / RS-5000

No transition: RR-5 jumps over four to five zone districts

El Paso County zone districts



Maximum homes on 5 acres,
as a multiple of RR-5 (1 home)

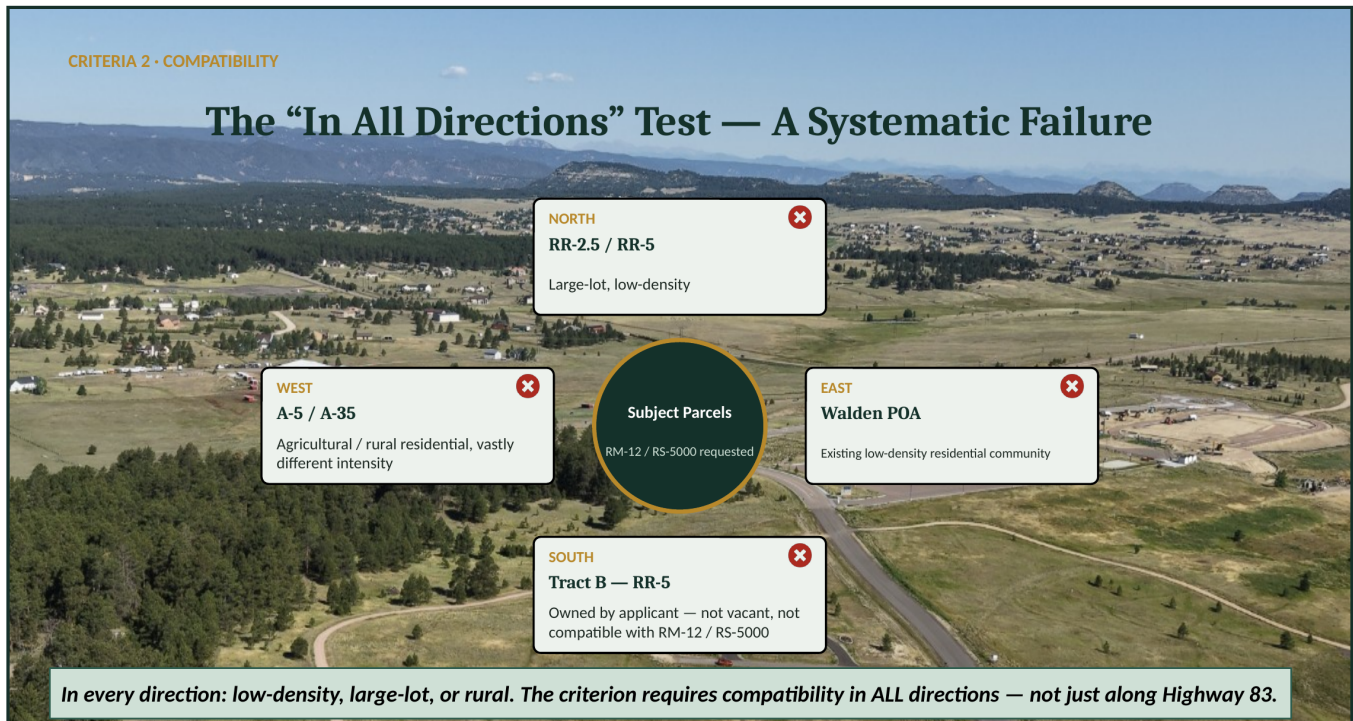


Unit ceilings at district maximums

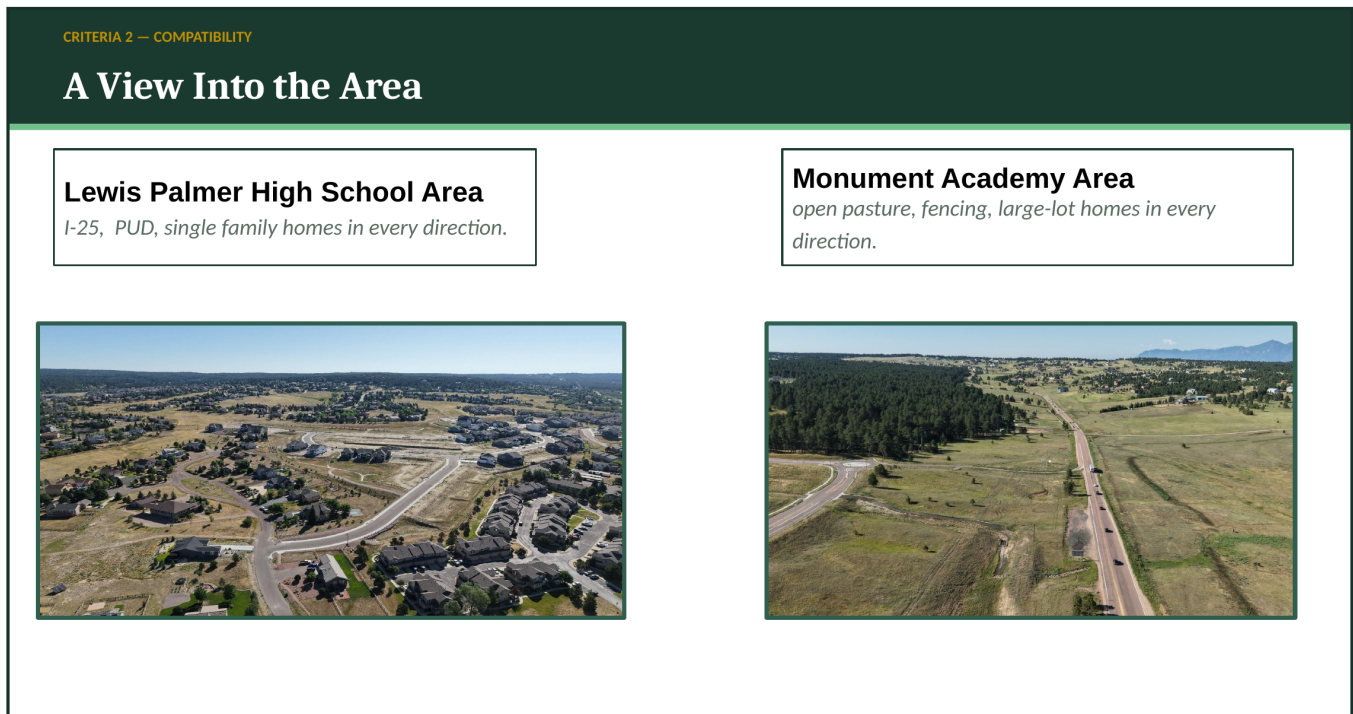
	Denied (P261 / P262)	Now requested (P2611 / P2612)
North parcel	233 units (RM-30)	93 units (RM-12)
South parcel	90 units (RM-12)	65 detached — or up to 94 as duplexes (RS-5000)

The “reduction” on the south parcel is not a safe harbor. RS-5000 permits duplexes by right where central water and sewer exist, so built that way the parcel can yield **more homes (up to 94) than the RM-12 ceiling the Board already denied (90)**. Zoning runs with the land: any future owner can build to the district maximum, whatever is promised at the podium.

Low-Density, Large-Lot, or Rural in Every Direction



Compatibility must be shown in ALL directions — not just along Highway 83. If the answer is no in even one direction, the criterion has not been met.



Left: the Lewis-Palmer High School area — I-25, a PUD, single-family homes on every side. Right: the Monument Academy area — open pasture, fencing, and large-lot homes in every direction. The applicant's comparison does not hold.

This Area Is Rural — and an Island Is Not a Template

CRITERIA 2 — COMPATIBILITY

Suburban vs. Rural Residential

The difference comes down to density, lot size, proximity to services, and infrastructure.

Feature	Suburban Residential	Rural Residential
Housing Density	Moderate to high	✓ Low
Lot Size	Often under 1 acre	✓ Often 1-10+ acres
Utilities	City water & sewer	✓ Wells, septic, private
Transportation	Local roads & transit	✓ Car-dependent

This site and its surroundings check every box in the **Rural** column — not the Suburban one the applicant assumes.

Presenter: Tom Tieringa — Walden Resident

This site and its surroundings check every box in the Rural column — not the Suburban one the applicant assumes.

CRITERIA 2 — COMPATIBILITY

The Commission Should Ask:

Has the applicant demonstrated compatibility in every direction — north, south, east, and west?



If the answer is NO in even one direction, the criterion has not been met.

The question for the Commission: has the applicant demonstrated compatibility in every direction — north, south, east, and west?

“It is actually the suburban residential place type. It is surrounded as an island by large lot residential.” — County planning staff, on the hearing record. Walden was built starting in the 1960s; when the County adopted the 2021 Master Plan it still mapped the surrounding area Large-Lot Residential. *An island is an exception carved out of an area’s character, not the character of the area.*

The Roads Are Already Failing — Before Any New Homes

CRITERIA 2 • COMPATIBILITY

Traffic & Infrastructure — Already Failing, This Makes It Worse

**~1,200
New Vehicle Trips
Per Day**

**Intersections
failing -LOS F**

**60 mph on
SH 83**

Photo taken early afternoon on July 13, 2026 showing traffic on SH 83 as the result of a nearby fire. Traffic backed up during the 2013 Black Forest fire.

Presenter: Heather Tiffany, Owner and Resident of Rehoboth Ranch

SH 83 backed up on July 13, 2026 during a nearby fire. In the 2013 Black Forest Fire, ~3,400 residences were evacuated, 509 homes were destroyed, and Walker Road was the mandatory evacuation boundary.

LOS F

SH 83 & Walker Rd / Hwy 105 —
the worst rating on the scale,
before any new homes

LSC Traffic Impact Study

940 → 1,233

added daily vehicle trips:
Tract A alone → Tract A + B

LSC Traffic Impact Study

131-187

homes on Tract A alone
(est. → maximum density)

Applicant materials

7 crashes

at the intersection, 2022-2025,
2 with injuries — plus 2 more since
July 23 (1 hospitalized)

Applicant's engineer; community report

3 times

CDOT has asked the County to
withhold approvals until an Access
Permit and Notice to Proceed exist

CDOT correspondence

600

students & staff at Monument
Academy, with a stadium, gym and
performing arts center still to come

Monument Academy

Sources: LSC Transportation Consultants Traffic Impact Study (applicant's own study); applicant's engineer's crash data, 2022-2025; CDOT correspondence to El Paso County; community report of crashes since July 23, 2026.

The Study Shows Failure — and It Is Already Out of Date

The Developer's Own Study Reveals: Roads Already Failing

SH 83 & Walker Road/Highway 105

LOS

F

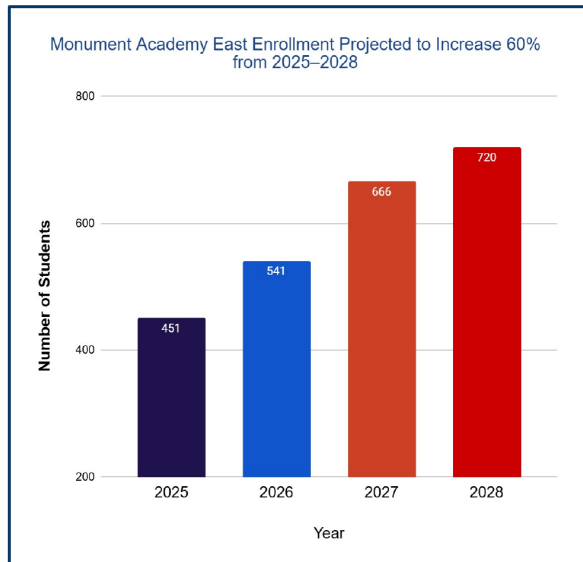
Maximum Failure (Intersection Over Capacity)

Westbound Through/Right: AM Peak
Westbound Left Turn: AM & School PM
Eastbound Through: School PM

- Before Monument Academy enrollment increases
- Before MA stadium, gym, and theater are built
- Before any new homes are built

The applicant's own study rates SH 83 & Walker Road / Highway 105 at Level of Service F, the worst on the scale, in the morning peak and during school pick-up.

The Traffic Study Is Already Outdated



Source: National Center for Education Statistics, Monument Academy Board Minutes-August 2025

Monument Academy East enrollment has grown 20% since the study baseline — and the opening of three major venues will increase traffic demands.

20% growth since last year
Enrollment: 451 → 541
Study baseline already wrong today

1,000 Seat Stadium
Major traffic generator
not modeled in study

835 - Seat Theater
800-Seat Gymnasium
Performing arts center opens
Spring 2028 — regional draw

Not Evaluated
No cumulative analysis of
development + school growth

Monument Academy East enrollment is up 20% (451 → 541). A 1,000-seat stadium, 800-seat gym, and 835-seat theater are not modeled, and there is no cumulative analysis of development plus school growth.

CDOT Has Asked the County to Wait

CDOT Told the County: Wait

CDOT

WAIT

State Agency Request
(Before Final Plat Approval)

CDOT Letter to El Paso County — March 2026

Access Permit

Not yet executed

Notice to Proceed

Not yet executed

Final Plat Approval

CDOT asked County to withhold

"The County should withhold Final Plat approval until an Access Permit and a Notice to Proceed have been executed."
— Colorado Department of Transportation, letter to El Paso County (May 2026)

CDOT has asked the County to withhold final approvals until an Access Permit and Notice to Proceed are executed. Neither exists.

What Remains Unresolved — Before Any Vote

⚠️ 3 Access Deviations Not Yet Applied For

The traffic study requires deviations for the north RIRO access, the south full-movement access spacing, and the southwest left-in-only access. All deferred to the subdivision stage.

The County is being asked to approve zoning whose access plan has no legal standing.

🚧 Jane Lundeen Drive Not Accepted by El Paso County

The study explicitly notes: "Ownership of Jane Lundeen Drive has not been accepted by El Paso County at the time of this application." **The primary road serving 300 units has no confirmed county maintenance obligation.**

📄 No Cumulative Traffic Analysis

No analysis covers Tracts A and Monument Academy's expansion (large gymnasium + stadium + performing arts center + new student wing) currently underway. **These are additive demands on roads already rated LOS F. A full cumulative study is essential.**

🏛️ CDOT Permit Process Not Initiated

SH 83 is state-owned. Every improvement at the primary intersection requires CDOT permits. That process has not started. There is no timeline, no design, and no cost estimate associated with CDOT-required work. **CDOT has requested the County withhold approval.**

Unresolved before any vote: three access deviations not yet requested, Jane Lundeen Drive not accepted by the County, no cumulative traffic analysis, and a CDOT permit process that has not started.

Same Land. Same Standards. Same Answer.

LDC §5.3.5 requires specific findings. The record on each has not changed since the Commission voted 6–1 to recommend denial in June.

Required finding	Why this request does not meet it
1 Statutory compliance C.R.S. §30-28-111	Zoning “shall be made in accordance with a comprehensive plan.” Staff acknowledged conflicts on rural character, compatibility, density transition, place type, and community character. Housing need and highway proximity are not the statutory test.
2 Compatibility	RR-5, large-lot, or rural in every direction. 76.7% of the applicant's compatibility argument is recycled from the denied letters.
3 Master Plan conformance	Large-Lot Residential, Minimal Change. The Plan says to maintain and expand large-lot residential here; RS-5000 and RM-12 do neither.
4 Site suitability	No transition from RR-5; the intersection is LOS F today; CDOT has asked the County to withhold approvals; key access items are unresolved.

You voted 6–1 to recommend denial in June.

We respectfully ask you to do so again for P2611 and P2612.

We are not against responsible development. We are asking that the County's own standards be applied.

SOURCES

El Paso County EDARP project files P2611 (ID 216911) and P2612 (ID 216912); The Monument Independent, “The Walker Road Rezoning Came Back with New Numbers and the Old Argument,” Sept. 29, 2026; P2611/P2612 and P261/P262 Letters of Intent; Resolutions 26-235 and 26-236; June 18, 2026 Planning Commission hearing and adopted minutes; July 23, 2026 BOCC hearing transcript; LSC Transportation Consultants Traffic Impact Study; El Paso County LDC Ch. 1, §§2.1.4 and 5.3.5; Your El Paso County Master Plan (2021); C.R.S. §30-28-111, -113, -116; Wainwright v. City of Wheat Ridge, 38 Colo. App. 485 (1976); Holly Development v. Board of County Commissioners, 140 Colo. 95, 342 P.2d 1032 (1959). Slides adapted from the July 23, 2026 BOCC presentation by Walden Preserve residents.

PUBLIC COMMENTS RECEIVED

P2611 & P2612

OPPOSITION

September 14 – October 29, 2026

OPPOSE

Name: Heidi Arbury

Date: 9/14/2026 2:16 PM

I am vehemently opposed to this rezoning proposal. This is the second time in as many months that the same developer has sought to rezone and destroy our rural lifestyle with apartment buildings.. This area is not appropriate for high density housing. All of us on Walden three have 5 acres or more as the RR5 zoning allows., I wish there were some type of penalty for frivolous rezoning requests. It wastes all of our time to keep saying no to high density housing at the corner of 105 and 83. We moved to our current location 35 years ago because we wanted a rural lifestyle. I didn't want to live in Parker or Denver. It is not OK to dismantle our current zoning protections just to let some developer ruin our neighborhood.. Again, oppose this reason.

OPPOSE

Name: Alicia Whitcomb

Date: 9/15/2026 7:30 PM

Thank you for taking the time to read my comment. I am strongly opposed to the rezoning listed in the above application. Rezoning this area would be detrimental to the current neighborhood. This is a rural residential area full of wildlife, quiet living away from the hustle of the city. It has dark night skies free of the light pollution of the city and high density housing. It is made up of homes on large lots using a water system that has a feeling septic ponds that cause wretched smells currently throughout the neighborhood. The neighborhoods strongly opposes bringing the city to our rural space. Having more homes on a clearly stressed water system is unsafe practice as well as adding traffic next to a school that already gets congested during drop off and pick up. It brings congestion to a rural area. The people live at four peace and quiet. We shouldn't have our entire neighborhood changed for the greed of others. There are zero resources in the area for increased housing. None.

OPPOSE

Name: Terre Christensen

Date: 9/15/2026 10:33 PM

The developer failed to hear the Planning Commission or residents in this matter. The reduction in density is STILL in conflict with the character of this rural area. The school does not justify further development geared to create a residential island. The disregard of the concerns shared by this community in the first denied application is unacceptable yet predictable by this developer, a person with a track record of attempting to reshape the character of our entire region one parcel at a time. The vote to deny is again the right vote.

OPPOSE

Name: Roxann Underwood

Date: 9/15/2026 7:32 PM

Please see attached letter

Dear Commissioners,

I am writing to strongly oppose the proposed zoning changes at Highway 83 and Walker Road that would replace the existing large-acreage, rural residential character with higher-density development, including multifamily housing and smaller residential lots.

This area is country for a reason. Many of the homeowners who live here worked their entire lives to leave the congestion and density of the city so they could raise their families and enjoy the space, privacy, open land, and rural way of life that El Paso County has historically provided. Changing the zoning now would fundamentally alter the character of the community and disregard the expectations of the families who invested in their homes under the existing zoning.

There are also serious safety and environmental concerns. Highway 83 and Walker Road have already experienced significant traffic, speeding, congestion, and accidents. These are largely two-lane rural roads, and adding substantially more homes and vehicles will increase traffic and create additional hazards for residents, school traffic, emergency responders, and wildlife. Introducing greater density into an area where road infrastructure was not designed for it is irresponsible without substantial improvements to the roads and intersections first.

This area also provides important habitat for antelope and elk, including one of the remaining herds in this part of the county. Increased development, traffic, fencing, lighting, noise, and human activity will further fragment wildlife habitat and increase the potential for dangerous vehicle-wildlife collisions.

Water and infrastructure must also be taken seriously. Increasing residential density means increased demand on the wells, septic systems, roads, drainage, utilities, and emergency services. These impacts should not be pushed onto the existing rural community simply to accommodate a higher-density development.

Most importantly, approving this change would establish a dangerous precedent. Once the zone along this corridor begins shifting from large-acreage rural residential to multifamily and small-lot development, it

becomes much easier for additional properties to follow. What may begin as one project can permanently transform the entire Highway 83 corridor.

The Counties own recent consideration of this area recognized concerns regarding compatibility with the surrounding large-lot residential character, roadway capacity, pedestrian safety, emergency response, lack of nearby commercial services, and the potential precedent for additional high-density development.

This is not the appropriate location for urban-style density.

Please preserve the rural character of this community and keep the property zoned as it is. Growth should occur where the roads, infrastructure, services, and surrounding land uses can safely and appropriately support it not by converting established rural neighborhoods into higher-density development.

I respectfully ask the El Paso County Board of County Commissioners to deny the proposed rezoning and protect the existing rural zoning and character of the Highway 83 and Walker Road area.

Thank you for listening to the residents who live here and have invested their lives in this community.

Respectfully,

Roxan Underwood

Hawk Ridge Resident

OPPOSE

Name: April S.

Date: 9/16/2026 10:48 AM

This area is currently zoned RR5 with surrounding Walden properties all designated as single family homes.

This filing does not meet the current criteria for the land use directly associated with the adjacent subdivision.

Im respectfully requesting a denial.

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS

PUBLIC RECORD SUBMITTAL

Regular Meeting Public Comment

September 15, 2026 | Centennial Hall Auditorium

SUBMITTED BY Laurel Schow

Woodmoor, Colorado | Unincorporated El Paso County | Tri-Lakes Region

SUBJECT Community participation, the Walker Road rezonings and the Land Development Code update

REQUEST FOR RECORD PLACEMENT

Please include this complete submission in:

- the official public record for the September 15, 2026 regular BOCC meeting;
- EDARP File P2611, MA Subdivision Tract A request for RS-5000 zoning;
- EDARP File P2612, MA Subdivision Tract A request for RM-12 zoning; and
- the public-comment record for the El Paso County Land Development Code update.

INCLUDED

- 1 Public comment as delivered on September 15, 2026
- 2 Exhibit A: Vertex Consulting Services Letter of Intent dated September 9, 2026 - cover and page 5

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS

PUBLIC COMMENT AS DELIVERED

September 15, 2026 | Laurel Schow

Last week I was caught in Hurricane Lowell on Kauai. The morning after revealed what the storm left behind: a brown, churning ocean, debris covering the beach, blocked roads and no power.

The Tri-Lakes has also been through a hurricane. It made landfall here on August 27. Two weeks ago, I stood here sad and disappointed. Now the pattern is unmistakable, and I am just angry.

On July 23, Walden residents made a criteria-based case against the Walker Road rezonings. Chair Geitner said they did not understand the process or the rule of law. She opposed both denials.

Five weeks later, 158 residents opposed the Buc-ee's appeal with sourced evidence and six hours of testimony grounded in the code and criteria. Chair Geitner said her 'guess' was that residents opposed Buc-ee's first, learned about C-1 later, then decided the project did not fit.

Twice, she portrayed residents as uninformed about the process and reduced carefully prepared, criteria-based cases to mere expressions of opposition. That dismissal was the eye of the storm.

Craig Dossey led Planning when the 2021 Master Plan replaced ten citizen-written area plans with a countywide map. The plan calls the Tri-Lakes the most well-established northern community and says future development should align with its character.

Yet at Walker Road, Chapter 3 labels the land Suburban Residential while Chapter 4 places it in a Large-Lot priority development area. In June, representing MA Infrastructure, Dossey acknowledged the inherent conflict. He said he could take ownership of a possible mapping error or oversight, then asked commissioners to judge the area by what it is becoming.

At the September 3 code rewrite meeting, Black Forest and Tri-Lakes residents objected to this urban drift and asked the County not to build a new code on an unresolved Master Plan.

Twelve days after the Buc-ee's vote, Matt Dunston and Vertex returned with new Walker Road applications. They moved the denied RM-12 from south to north, replaced it on the south with RS-5000, and submitted a PUD for Tract B.

Record note: P2611 is the RS-5000 request for the southern portion; P2612 is the RM-12 request for the northern portion.

Vertex's letter of intent states: "El Paso County has historically planned for the land included within the MA Subdivision to develop in an urban manner."

The Master Plan never says this.

Craig Dossey turns one side of an acknowledged conflict into a supposed history supporting three new submissions.

This is the broken system the hurricane exposed. Documents meant to protect this community are reinterpreted toward greater density while residents are dismissed as uninformed.

When these projects come before you, we will be here. We know the record and the process.

What are you going to tell us this time?

EXHIBIT A

Vertex Consulting Services Letter of Intent | September 9, 2026 | Cover Page

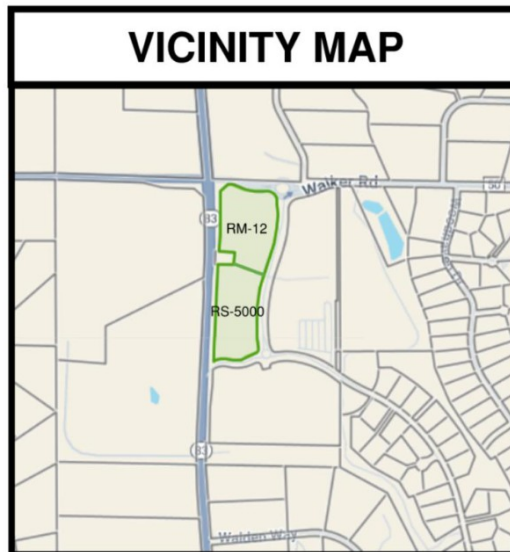


MA SUBDIVISION TRACT A : RS-5000

Map Amendment (Rezoning)

Letter of Intent

September 9, 2026



PCD File No. P26X

MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132

EXHIBIT A CONTINUED

Letter of Intent Page 5 | Statement cited in the public comment highlighted

MA SUBDIVISION | Map Amendments (Rezoning)
Letter of Intent

The map below shows the location of the site with respect to the rest of the Tri-Lakes Key Area. The context provided by this exhibit supports the proposed RM-12 and RS-5000 rezoning, as the site is uniquely situated adjacent to both Highway 83 and Monument Academy Charter School, distinguishing it from much of the surrounding Key Area. Monument Academy serves as a transition between the existing Walden development, which consists predominantly of residential lots ranging from 0.5 to one acre in size, and the more urban MA Subdivision development. As discussed in the Background Section above, **El Paso County has historically planned for the land included within the MA Subdivision to develop in an urban manner.** Accordingly, the developer was required to construct urban public improvements based on El Paso County's and CDOT's longstanding vision for more intensive development on this site than within the remainder of Walden. The proposed rezonings are consistent with this historic planning framework and the established development pattern in the immediate vicinity. By providing a mix of residential densities through the RM-12 and RS-5000 zoning districts, the proposed rezonings will help reinforce the long-standing planning expectations for the site as a transition area, its alignment with the existing character of the surrounding community, and its ability to strengthen residential housing opportunities within the Tri-Lakes Key Area.

Additionally, other locations in the Tri-Lakes Key Area would not be appropriate for increased residential densities due to concerns over infrastructure availability and capacity (e.g. water, wastewater, and roadways). The subject property is served by the Walden Corporation, which has excess water and wastewater capacity. The adjacent roadways have already been constructed to an urban cross-section with planned driveway curb cuts into the subject property to allow for internal roadway connections. As the Tri-Lakes Key Area continues to build out the most logical location for meaningful residential growth is along highway corridors in areas served by centralized services in unincorporated El Paso County, all of which are directly consistent with this map amendment (rezoning) request.

OPPOSE

Name: Mary Tostanoski

Date: 9/17/2026 1:52 PM

I oppose this resubmission by Vertex in the same location as before (MA, Walden, Hwy 83 and Walker Rd, COS) for rezoning. This is a well established RR-5 community and there is no sign of urbanization thus far. To go against the County Master plan would be an egregious act that negatively affects so many land owners who purchased their land and homes in good faith that the El Paso County Board of County Commissioners would honor their oath to the residents to uphold the Master Plan to keep this RR-5 area zoning and the rural character that so many residents bought into and still exists today.

OPPOSE

Name: William Tostanoski

Date: 9/17/2026 1:27 PM

I oppose this rezoning request because we don't have the infrastructure to support this change

OPPOSE

Name: Ted Kriss Arbury

Date: 9/19/2026 6:30 PM

BOCC:

I am registering my opposition to ANY higher density rezone for our community. When our family moved here in 1991, I was a baby. There was no Cherry Creek Crossing, and the night sky was dark. All the properties surrounding our 5.4 acre home were 5 acres or larger. The Black Forest Preservation Plan protected us. The Black Forest Preservation Plan was adopted in 1974 by El Paso County, Colorado, to protect the rural-residential character, natural beauty, and ecological integrity of the Black Forest region.

As I am sure you are aware, this same developer tried to rezone the same property two months ago. They need a firm, "No means no." High density is not appropriate for our rural ecosystem. We deserve protection from this insane over-development. Preserve, not exploit. We are stewards of our land.

Respectfully,

Ted Kriss Arbury

OPPOSE

Name: LAURI MASK

Date: 9/20/2026 8:37 AM

To change the zoning in this area is only to benefit one person (the person who wants it changed). Please do not bring high density into this area. It is not fair to the people who bought in this area and were told that zoning was 3 acres in the trees and 5 acres outside of the trees. This is a horrible place to put this kind of housing. The school should be reason enough not to put high density next to it. Beginner drivers going through this bad intersection is already not a good idea. Crime will increase with high density in an area that does not have good police control. Do not let money in your pocket be a reason to allow this. You all know that this is a bad decision to allow it. Please search your conscience. Do the right thing! Do what's best for all who live in this area, please. Do not do what's best for 1 individual who is trying to unbury his water problems by increasing the density to add more customers to his problem water issue.

OPPOSE

Name: LAURI MASK

Date: 9/20/2026 8:39 AM

To change the zoning in this area is only to benefit one person (the person who wants it changed). Please do not bring high density into this area. It is not fair to the people who bought in this area and were told that zoning was 3 acres in the trees and 5 acres outside of the trees. This is a horrible place to put this kind of housing. The school should be reason enough not to put high density next to it. Beginner drivers going through this bad intersection is already not a good idea. Crime will increase with high density in an area that does not have good police control. Do not let money in your pocket be a reason to allow this. You all know that this is a bad decision to allow it. Please search your conscience. Do the right thing! Do what's best for all who live in this area, please. Do not do what's best for 1 individual who is trying to unbury his water problems by increasing the density to add more customers to his problem water issue.

OPPOSE

Name: Emelia E. Martinez

Date: 9/21/2026 6:43 PM

What recourse will be available for private property owners if their wells run dry? Will we be able to hold excess development to account? Mom's well is an older, shallow well. It was permitted and drilled around 1970. It is more vulnerable to massive pumping. Neighboring residents have already documented that the local water system faces capacity strains. Adding hundreds of new high-density residents to an already stressed groundwater pocket is a direct threat to the surrounding homeowners' primary water supply. Existing homeowners have rights, too. For 35 years, we have been protected with RR5 zoning. Now greedy developers come along and threaten way of life This home is the only one we've got; our County Commissioners have a grave responsibility to protect our water and property values. The local groundwater infrastructure cannot safely support high-density development without encroaching on the historical water rights and daily survival of existing rural property owners.

OPPOSE

Name: Mikeeta Bennett

Date: 9/21/2026 2:09 PM

I respectfully oppose this rezoning application, as well as, P2612. Both applications are incompatible with the surrounding low density neighborhoods and not in conformance with the Master plan. Approving this request and P2612 would undermine the integrity of the County's planning process, as well as, the expectations of residents who rely on our County's adopted land-use policies. Please deny P2611 and P2612 and preserve responsible planning in El Paso County.

OPPOSE

Name: Jaime Blane

Date: 9/27/2026 6:18 PM

Keep land the way it is.

OPPOSE

Name: Scott T Pope

Date: 9/27/2026 10:30 PM

This has already been voted on and rejected. It has been shown that the intersection at 83 and 105 would need significant upgrades to accommodate the additional traffic from the proposed project. Also, the sewer system would also need significant upgrades to handle the proposed rezoning. The proposed rezoning does not fit in with the current property use of the area. Water requirements have not been proven. The rezoning is not right for the area and is opposed by most residents.

OPPOSE

Name: Amy Day-Homyack

Date: 9/28/2026 4:48 PM

I strongly oppose this project as it would be unsafe and destroy the character of the area. Please tell this developer a firm NO - since he doesn't seem to understand that. Thank you!

OPPOSE

Name: Joseph Beaudette

Date: 9/28/2026 6:41 PM

Opposed to any rezoning for this area.

OPPOSE

Name: Susan Beaudette

Date: 9/28/2026 7:00 PM

Oppose

OPPOSE

Name: Gary

Date: 9/29/2026 10:44 PM

Crazy idea to put high density housing at this location!

OPPOSE

Name: Joseph Baginski

Date: 9/29/2026 11:08 AM

Rezoning of this area does not match what is in this area. The developer would like to build apartments town homes and or condos in an area that only has single family homes all around. Why would the county allow this kind of change in this area, makes no sense to the area in question. Adding this type of structure will also be very difficult with traffic and safety for the school.

OPPOSE

Name: Mark

Date: 9/29/2026 8:55 PM

We already voted on this, this is a waste of people's time, do not vote yes on something you already voted no on.

OPPOSE

Name: Catherine Oakley

Date: 9/30/2026 11:07 AM

The request is asking for an increase of approximately 2,060% in density in our rural area. The existing adjacent lots are all zoned for minimum 1 acre and most are over 1 acre properties. The traffic on Walker Rd. as well as 83 is already out of control with the school located on the corner of 83 and Walker. The water treatment "ponds" are also incapable of sustaining this level of increase. They already smell awful and need to be updated. Placing high density neighborhoods on this corner does not make sense. We moved to this area for the larger lots and to get away from the urban sprawl we were living in.

OPPOSE

Name: Catie Corbin

Date: 9/30/2026 11:28 AM

Please do not consider this rezoning request. We live out in the country for a reason. Let people build closer to the city or in city limits with this kind of high density housing. There is no way adding this many residences and cars can't affect the nature of the neighborhood. On mornings at 83 and Walker Road the traffic is backed up beyond Appaloosa. We don't need more traffic! The developer is simply playing tricks and changing language to get more housing in the exact same area! Please deny their request

OPPOSE

Name: Kathryn Frasier

Date: 9/30/2026 9:16 PM

This is not good for our neighborhood or our water supply system. What ever Walden Corporation has said to what they can and should be able to handle is a lie. This is because it is one person who is doing the receiving and mailing of the bills. But the main reason it is not good is because of the fact that the land and water table for this area is already maxed out. Currently there are at least 300 homes on Walden Corporation. And the surrounding areas are not zoned for this kind of housing they are proposing. And I stand by what I stated last time and that was this area does not need to have more housing.

OPPOSE

Name: Ken M

Date: 9/30/2026 8:15 AM

the area is already congested no need to add more traffic to the area not to mention a greater demand on local resources like water, and electric services

10/01/2026

El Paso County Board of County Commissioners and Planning & Community Development

P2611 Public Comment in Opposition: MA Infrastructure RS-5000 Rezoning

Commissioners,

I oppose P2611, the request to rezone 7.56 acres of MA Subdivision Tract A from RR-5 to RS-5000.

This Board denied RM-12 on these same 7.56 acres on July 23 (P261). Vertex refiled 47 days later.

At gross acreage, the RM-12 request you denied allowed about 90 units. RS-5000 allows two-family dwellings on 7,000 square foot lots, the minimum stated in Vertex's own letter of intent, which puts up to 94 units on the same land.

Vertex calls this "a decrease in density by at least 25%." It allows more units than the application you denied. RR-5 allows one home here.

Character of the area and Master Plan

The Master Plan's Black Forest/North Central recommendation reads: "The County should maintain existing and expand the Large-Lot Residential place type in this area." Vertex's letter of intent concedes P2611 conflicts with that recommendation and asks you to treat it as a "mapping oversight associated with the preparation of the Master Plan."

Your recorded denial of the companion file, Resolution 26-236, found the request out of general conformance with the Master Plan and not compatible with existing and permitted land uses in all directions. The surrounding land has not changed since July 23.

All five letters of intent Vertex has filed on these tracts this year tell you a Master Plan map is wrong. Denied in July, the developer came back in 47 days with two "independent" rezonings on one parcel, a third application next door, two engineering deviations, and the water and Tract B traffic analysis deferred until after the density is granted.

Compatibility: traffic, pedestrian safety, evacuation

The traffic study in this file assumes 131 units on all of Tract A. P2611 and P2612 together allow up to 187.

Today the westbound approach at Highway 83, Highway 105 and Walker Road operates at level of service F in the morning peak. LSC observed queues backing into the Jane Lundeen/Walker roundabout for 15 to 20 minutes starting at 7:35 am.

Seven crashes, two with injuries, were reported at that intersection from 2022 to 2025.

The study puts Tract A's north, middle and south access points on Jane Lundeen Drive, the road Monument Academy's development agreement required for its east campus. It projects the middle access at level of service F in the morning and school pickup peaks by 2045, and concludes

residents "will likely learn to avoid departing" during those times.

In a wildfire evacuation, nobody waits for school traffic to clear.

Site suitability

The only water document in this file is a one-page Walden Corporation commitment letter dated August 11, 2026, signed by Bill Dunston and addressed to Mr. Dunston at MA Infrastructure. It conveys no water rights, and Vertex states the "finding of water sufficiency will be required at the subdivision stage of development."

You would be granting 94 units before anyone has shown the water exists.

Regards,
Ron Baumert
19150 Sixpenny Ln, Monument, CO 80132
rbaumert@gmail.com

OPPOSE

Name: Ron Baumert

Date: 10/1/2026 3:51 PM

I oppose P2611. The Board denied RM-12 on these same 7.56 acres on 07/23/2026 (P261). This refiling allows up to 94 units where RR-5 allows one, and Vertex's letter of intent concedes it conflicts with the Master Plan's Large-Lot Residential recommendation for this area. My full letter is attached. I also emailed it to the Board of County Commissioners and PCD on 10/01/2026.

OPPOSE

Name: AES

Date: 10/3/2026 5:58 PM

Opposed

OPPOSE

Name: SLS

Date: 10/3/2026 5:58 PM

Opposed



COLORADO

Department of Transportation

Region 2

Traffic & Safety - Access Permits

SH-083A /MA Subdivision Tract A Rezone to RM-12
El Paso County

March 06, 2026

Kari Parsons-Senior Planner
El Paso County Planning and Community Development
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: MA Subdivision Tract A-SH083A/EPC

Kari,

I am in receipt of a referral request for comments for MA Subdivision Tract A Rezone to RM-12 located west of Jane Lundeen Drive, south of Walker Road, and east of State Highway 83 El Paso County, State of Colorado, (Parcel #6115011001) The submittals have been reviewed by CDOT. After review of all submitted documents, we have the following comments:

Traffic

- Based on the traffic analysis provided, the project results in a degradation of roadway level of service (LOS) at the study intersection (State Highway 83 and Walker Road). Specifically, the eastbound through movement and eastbound left lane movement deteriorate from LOS D/E to LOS E/F, and the westbound through movement deteriorates from LOS D to LOS E under the projected conditions.
- These impacts exceed acceptable operational thresholds and will require roadway improvements prior to subdivision approval. To mitigate these deficiencies, the intersection will require two through lanes in both the eastbound and westbound directions to support signalized intersection operations. This will require new signals to be constructed.
- As an alternative, the intersection may be evaluated for conversion to a roundabout, however, additional traffic analysis and evaluation will be required to determine the feasibility and operational performance of this option.
- All proposed improvements will be subject to review and approval by CDOT and must comply with applicable CDOT design standards.

Access

- No direct access will be granted from State Highway 83. Access will be gained via the local road way system from Pinehurst Circle and Jane Lundeen Drive.
- The State Highway Access Code requires an access permit if the proposed vehicle volumes increase by 20 percent or more, the development is adjacent to the state highway, and/or significant changes in the use of the property are made which will affect access operation, traffic volume and/or vehicle type.
- State Highway improvements are required.
- A CDOT Access Permit will be required for each phase of development.



CDOT respectfully requests that El Paso County holds the approval and recordation of any Final Plats until such time CDOT has an executed Access Permit and Notice to Proceed, in accordance with the State Highway Access Code.

Please contact me at 719-924-2930 or kimberly.blanchard@state.co.us with any questions.

Sincerely,

Kimberly Blanchard

Kimberly Blanchard
CDOT R2 Access Management Trainee

xc: MA Infrastructure LLC - mattdunston@hotmail.com
Vertex Consulting Services - nina.ruiz@vertexc.com
Lancaster / file



OPPOSE

Name: Bryan Canaan

Date: 10/4/2026 4:05 PM

The refiled application to rezone parcel 6115011001 at Highway 83 and Walker Road to RM-12 and RS-5000 is not substantially different in from the original request, and there is no evidence of a substantial change in conditions or circumstances from the previously denied application.

Rezoning this parcel to RM-12 and RS-5000 will drastically change the character. Neither of the requests conform to the character identified in the master plan for the parcel's placetype, or the surrounding placetype.

Nothing with regard to the local infrastructure has changed since the original application. The infrastructure cannot support the proposed RM-12 or the RS-5000 rezoning. The intersection at Highway 105 and Walker Road is already dangerous and receives a failing grade from CDOT. See attached March 06, 2026 SH-083A /MA Subdivision Tract A Rezone to RM-12 letter from CDOT to El Paso County Planning and Community Development regarding the proposed rezoning. Please deny the re request.

WRITTEN PUBLIC COMMENT

Opposition to P2611 and P2612

MA Infrastructure rezoning - Parcel 6115011001 - Walker Road / Highway 83

P2611	RR-5 to RS-5000
P2612	RR-5 to RM-12
Resident	17901 Sawmill Road - Walden III, Filing No. 6, Phase I
Hearings	Planning Commission: Nov. 5, 2026 BoCC: Dec. 10, 2026

To: El Paso County Planning Commission and Board of County Commissioners

Position: **OPPOSE P2611 AND P2612**

The question is not whether this proposal is better than the one rejected in July. The question is whether RM-12 and RS-5000 are appropriate zoning for this location.

Members of the Planning Commission and Board of County Commissioners:

I live at 17901 Sawmill Road in Walden III, Filing No. 6, Phase I. I chose to live in this area because of its rural-residential character - larger lots, lower density, open space between homes, and less congestion than an urban or suburban neighborhood. I understand that land is not frozen in time and that property owners have the right to ask for rezoning. I am not opposed to all development on this property.

My concern is much narrower: these applications still represent a major change in the type and intensity of development that belongs at Walker Road and Highway 83. The applicant has made meaningful changes since July, and those changes should be considered fairly. But the County is not being asked whether this proposal is less intensive than the one it already rejected. It is being asked whether P2611 and P2612 actually satisfy the County's rezoning standards for this location. ^[3]

1. The basic land-use change is still substantial

Today this property is RR-5 Residential Rural. P2611 would change the southern portion to RS-5000 Residential Suburban, and P2612 would change the northern portion to RM-12 Residential Multi-Dwelling. Both applications remain active for parcel 6115011001. ^{[1] [2]}

That is a very large change in development pattern. RR-5 is based on five-acre lots. RS-5000 permits single-family lots as small as 5,000 square feet and two-family development on 7,000-square-foot lots. RM-12 permits up to 12 dwelling units per acre, buildings up to 40 feet, and attached dwelling forms. ^[3]

The applicant can fairly say that this is less intense than the earlier RM-30 proposal. But that should not become the benchmark. If an unusually dense proposal is rejected first, every later reduction can be described as a compromise. The County's own Code points instead to road access, the established development pattern, and compatibility when deciding where different zoning belongs. ^[3]

2. The County's July decision should matter

On July 23, the Board denied the previous applications through Resolutions 26-235 and 26-236. The Board did not simply find that the earlier unit count was too high. It made broader findings that the rezonings were not in general conformance with the Master Plan and that the proposed zoning was not compatible with existing and permitted land uses and zoning in all directions. ^{[4] [5]}

I understand that those findings do not automatically decide these new applications. The zoning requests are different now. But the July findings raise a straightforward question that deserves a straightforward answer: what has changed enough to allow the County to make those same required findings today? The parcel is the same. The surrounding development pattern is substantially the same. The change is primarily in the zoning the applicant is asking for.

3. The Suburban Residential placetype does not settle the issue

I recognize the applicant's strongest planning argument: the parcel itself carries a Suburban Residential placetype. That fact should be acknowledged rather than ignored. County records from the

July hearing also describe that Suburban Residential area as being surrounded by Large Lot Residential, which is part of the tension the Planning Commission discussed.^[6]

The Master Plan's own description of Suburban Residential is important here. It describes predominantly residential areas with mostly detached single-family housing. Detached housing at up to five dwelling units per acre is identified as the primary residential use. Attached and multifamily housing are supporting uses that should be limited and compatible with the overall single-family character.^[7]

So the placetype may support some transition from RR-5, but it is not a blank check for any suburban or multifamily district. RM-12 allows more than twice the five-dwelling-per-acre density identified as the primary residential use. More importantly, Master Plan conformance does not replace the separate requirement that the actual zoning be compatible with what surrounds the site.^{[3] [7]}

4. Compatibility with the surrounding area is the key question

Section 5.3.5 requires a finding that the proposed land use or zone district is compatible with existing and permitted land uses and zoning "in all directions." That is a separate requirement, and it is the requirement I believe these applications still struggle to meet.^[3]

The July Planning Commission record specifically reflects concerns about surrounding zoning, existing character, walkability, and the fact that the parcel's Suburban Residential placetype sits within a Large Lot Residential context. The Planning Commission recommended denial 6-1. Those are not simply emotional objections to growth; they go directly to the County's compatibility standard.^[6]

For me, the question is simple: *What evidence shows that 5,000-square-foot suburban lots, two-family development, and RM-12 multi-dwelling zoning are compatible with the existing and permitted land uses around this site?* Saying that they are less dense than RM-30 does not answer that question.

5. The County should judge the zoning being granted, not only the current concept

A zoning change runs with the land. That means the County should look at what RS-5000 and RM-12 legally permit, not only at the applicant's present concept or the unit count used in a traffic study. If a lower density is necessary to make the project compatible, that limitation should be part of the approval rather than simply assumed.^[3]

P2611 is a good example. RS-5000 changes the form of development on the southern 7.56 acres, but it does not necessarily create a large reduction in dwelling-unit potential. Using gross acreage only as an illustration - not as a buildout estimate - the district standards equate to roughly 66 detached lots, or roughly 94 dwelling units if the acreage were developed entirely under the two-family minimum-lot standard. Roads, drainage, setbacks and other constraints would reduce actual yield. The point is simply that the zoning entitlement itself matters.^[3]

The same is true of P2612. At 12 dwelling units per acre, the northern 7.79 acres has a theoretical gross-acreage ceiling of roughly 93 units before site constraints. Taken together, the requested districts authorize substantially more intensity than RR-5, regardless of what a current concept drawing happens to show.^[3]

6. A revised application still has to meet the same standards

I am not asking the County to reject these applications simply because the applicant came back after the July denial. The new applications are different, and County staff has allowed them to proceed. But being different enough to be heard again is not the same thing as satisfying the standards required for approval.

That distinction is important. A proposal can be a genuine revision and still be incompatible with the surrounding development pattern. The Planning Commission and Board should evaluate P2611 and P2612 on that basis, rather than treating the reduction from the earlier proposal as evidence that the problem has been solved.

Conclusion

I am not asking the County to prevent all change or all development on this property. I am asking the County to apply the same planning principles and compatibility standards it applied only a few months ago,

and to recognize the rural-residential character that existing residents relied upon when choosing to live here.

The applicant has improved the proposal by reducing some of its intensity. But "less intense than the rejected proposal" is not the approval standard. The relevant question is whether these specific zoning districts fit this specific location. In my view, replacing RR-5 across the entire tract with 5,000-square-foot suburban lots, two-family development, and RM-12 multi-dwelling zoning still represents too large a departure from the established development pattern and does not overcome the compatibility concerns that led to the July denial.

For those reasons, I respectfully ask the Planning Commission to recommend denial of P2611 and P2612, and I ask the Board of County Commissioners to deny the applications unless the record clearly demonstrates that each of the required findings in Section 5.3.5 can be made.

Respectfully submitted,

Name: Brian and Marianna Hadley

Address: 17901 Sawmill Road

Community: Walden III, Filing No. 6, Phase I

City / ZIP: Colorado Springs, CO 80908

Email: Bhadley0@yahoo.com

Date: October 5, 2026

Sources and authorities

Official sources are prioritized. Web pages accessed October 5, 2026.

1	El Paso County EDARP - P2611, MA Infrastructure RS-5000 Rezoning Application Current project page; confirms file number, RR-5 to RS-5000 request, parcel 6115011001, active status, and hearing dates. Open source
2	El Paso County EDARP - P2612, MA Infrastructure RM-12 Rezoning Application Current project page; confirms file number, RR-5 to RM-12 request, parcel 6115011001, active status, and hearing dates. Open source
3	El Paso County Land Development Code, Chapter 5 Section 5.3.5 (Map Amendment / Rezoning), including purpose, required approval findings and conditional zoning; Table 5-4 density and dimensional standards; Section 5.2.22 attached-dwelling standards. Open source
4	El Paso County Board of County Commissioners - Resolution 26-235 July 23, 2026 denial of P261 (RR-5 to RM-12). Includes formal findings on Master Plan conformance and compatibility. Open source
5	El Paso County Board of County Commissioners - Resolution 26-236 July 23, 2026 denial of P262 (RR-5 to RM-30). Includes formal findings on Master Plan conformance and compatibility. Open source
6	El Paso County agenda records - P-26-001 and P-26-002 Official July hearing records; summarize the Planning Commission 6-1 recommendations for denial and discussion of surrounding zoning, existing character, walkability, and the Suburban Residential placetype surrounded by Large Lot Residential. Open source
7	El Paso County staff report quoting Your El Paso Master Plan - Suburban Residential placetype County staff report reproducing Master Plan placetype language: mostly detached single-family character; detached housing up to 5 DU/acre as primary use; attached and multifamily as limited supporting uses compatible with overall single-family character. Open source

Note on citations: Bracketed numbers in the comment correspond to the sources above. The comment relies primarily on County records and the County's own code rather than on assumptions about motive.

OPPOSE

Name: Brian Hadley

Date: 10/5/2026 5:45 PM

Please see attached written comments opposing P2611/P2612. I request that the complete attached statement be included in the public record and provided to the Planning Commission and Board of County Commissioners.

OPPOSE

Name: Celia Canaan

Date: 10/5/2026 8:34 PM

The refiled application to rezone parcel 6115011001 at Hwy 83 and Walker Road to RM-12 and RS-5000 is not substantially different from the previously denied application, and there is no evidence of change conditions or circumstances to justify reconsideration. In particular, the intersection of Hwy 83 and Walker Road, where Monument Academy High School is located, is already deemed dangerous by CDOT without the higher density.

OPPOSE

Name: Kimberly Holly

Date: 10/5/2026 9:57 PM

I am writing to oppose P2611. I have lived approximately 1.3 miles from this property for six years. When I purchased my home, the lower-density, more rural character of this area was an important part of that decision and my investment here.

I understand that growth will occur, but rezoning RR5 to RS5000 to allow up to 94 units is not a modest change. It represents a fundamentally different development pattern. This density will affect nearby residents through increased traffic?particularly during school and morning commute hours?pressure on schools and potentially school boundaries, and additional demands on roads and public infrastructure.

I am also concerned about the cumulative impact of P2611, P2612 and PUD263. These proposals should not be evaluated in isolation. I support reasonable development that respects the character and infrastructure of the existing community; this is not that. I respectfully request that P2611 be denied.

I strongly oppose this request to rezone. The people who live in the area saved their hard-earned money for a chance to live away from neighborhoods where 100s of track houses are built close together, traffic is heavy, noise and light pollution are prevalent. Highway 83 already gets very jammed up due to how many people already live in the area, additionally, when I25 has any sort of traffic jam due to accidents or road construction, highway 83 then becomes even more jammed, which is dangerous for people and wildlife. This is only a 2-lane highway, which makes it difficult for emergency vehicles to reach the accident or emergency when they occur. If a grass fire or forest fire were to occur, having these additional people attempting to evacuate using a 2-lane highway could be catastrophic. Adding a suburban style neighborhood (8-9 houses per acre, 131 total houses in the 15-acre parcels) will also put a huge strain on the wildlife in the area. Deer can often be seen grazing in this area, and these are deer who are not used to living in urban areas. Approving this request would be irresponsible and satisfies nothing but greed. I sincerely hope those who vote on this will consider the negative impact this would have on the lives of all the people who have worked for and built homes on acreage in this area. How would you feel if this was you?

OPPOSE

Name: ANDREA L BAIZE

Date: 10/6/2026 11:09 AM

See attachment

OPPOSE

Name: Anthony Mattarochia

Date: 10/9/2026 7:37 AM

Oppose

OPPOSE

Name: Dan Carl

Date: 10/9/2026 7:56 PM

This proposal (like the one that failed a few months ago) should fail again. This high density housing is not in character either the area. Water and sewer demands are stretched as it is. Furthermore, this would create a traffic nightmare for all existing residents and possibly create safety hazards for the school located there.

Please vote no!

OPPOSE

Name: Michael Martin

Date: 10/10/2026 10:55 AM

I oppose the rezone. We moved to Walden 3 years ago because we loved the housing density and space.

Please keep the original RR5 zone in and protect our community and its original vision.

Regardless of the best planning and development intentions, additional housing will -- without doubt -- increase traffic and pedestrian safety on our streets.

We often use this intersection to travel to and from our home. It's so nice to be able turn of 83 and immediately feel like we are already home. Adding so many homes on this land would destroy that.

Sincerely,
Michael Martin

OPPOSE

Name: JessicaK

Date: 10/11/2026 4:05 AM

Stop building on every piece of empty land. Who is going to build the roads necessary for more traffic and where do you think the water is coming from? Colorado's resources are more important to reserve than building yet another housing development or apartments.

OPPOSE

Name: D & D Greenly

Date: 10/12/2026 3:04 PM

This rezone request, similar to the last one that was recently denied, doesn't make sense for all the same reasons. Compatibility with area, site suitability (traffic and safety concerns fall here see traffic report) and statutory compliance. How many iterations are we going to go through to be heard?

My greatest request is that the developer work with this community to enhance the current plan. We're all just asking for it to be authentically compatible. The developers are engaged with the neighborhood as the owners/operators of the water source, property owners, and founders/board of the property owners association. This engagement has encouraged homeowners to have positive relationships with the developers, however each request for rezone is indicating the developers are not hearing what the community is asking.

OPPOSE

Name: Jess Neal

Date: 10/12/2026 9:18 AM

This area is part of the Black Forest NOT high density Monument. The lots for housing get larger the farther east you go from Monument for a reason. This s NOT meant to be a high density housing area. The infrastructure does not support it. The land is adjacent to an established school so sell the land to the school so it can build something meaningful such as the ability to teach trades which are in high demand and demand will only get higher.

OPPOSE

Name: Howard Friedrichs

Date: 10/14/2026 6:54 PM

I oppose this project based on site suitability and it does not fit the character of the area. I live a half mile from the location and RS-5000 is too significant of a change from the master plan and adjoining area. The area is currently surrounded by 1-5 acre homes and ranches. Duplexes and multi-family homes are a major departure. This proposal would constitute up to a 2000% increase in density. Per the El Paso County Land Development Code, this would transition the space from residential rural to residential suburban. In my humble view, this submission is not substantially different than the one previously declined.

OPPOSE

Name: Kris S.

Date: 10/18/2026 5:00 PM

Oppose - see comments on P2612 - this rezoning presents safety hazards to and degrades quality of life of current community members and the nearby school students and staff

OPPOSE

Name: Damian paul

Date: 10/19/2026 6:00 PM

OPPOSE

OPPOSE

Name: Danny H

Date: 10/19/2026 2:52 PM

Very much oppose to the MA Infrastructure RS-5000 Rezoning Application

OPPOSE

Name: Jordan De Namur Paul

Date: 10/19/2026 5:59 PM

Oppose

OPPOSE

Name: Judy H

Date: 10/19/2026 3:05 PM

I am very much oppose to project MA Infrastructure RS-5000 Rezoning Application

RE: Opposition to Rezoning Application P2611 — RR-5 to RS-5000 — Request for Recommendation of Denial

Dear Members of the El Paso County Planning Commission:

I respectfully request that the Planning Commission recommend denial of application P2611, seeking to rezone approximately 7.56 acres at the southeast corner of Highway 83 and Walker Road from RR-5 (Residential Rural) to RS-5000 (Residential Suburban). I am writing this letter for the record, objective consideration and potential future litigation.

Having reviewed the applicant's September 9, 2026 Letter of Intent, I remain concerned that the revised request does not adequately demonstrate compliance with the rezoning criteria in § 5.3.5 of the El Paso County Land Development Code (LDC). Although the applicant has replaced the previously denied RM-12 request with RS-5000, the proposed zoning would still introduce a substantially more intensive residential development pattern into an area governed by an established rural and large-lot residential planning framework.

The central question is not whether suburban residential development is permissible somewhere within the County, but whether RS-5000 zoning is appropriate at this particular location.

I. General Master Plan Consistency Does Not Eliminate the Requirement for Site-Specific Compatibility

The applicant relies heavily on the property's Suburban Residential place-type, its location within a Priority Development Area, and the Master Plan's support for housing variety.

These are relevant considerations. However, they do not independently establish compliance with LDC § 5.3.5(B), which requires consideration of compatibility with existing and permitted land uses and zoning districts in all directions, together with Master Plan conformance and site suitability.

The applicant correctly observes that the Master Plan is flexible and that not every individual policy must be satisfied for a proposal to be approved. However, the same flexibility permits the Planning Commission to assign greater weight to policies protecting established neighborhood character and ensuring context-appropriate development.

The Suburban Residential place-type identifies detached single-family residential development as its primary land use. The existence of other permissible or supporting uses does not establish that every residential zoning district associated with that place-type is appropriate for every parcel.

The applicant must demonstrate why the particular development rights associated with RS-5000 are compatible with this property's surroundings.

II. The Applicant Acknowledges the Large-Lot Residential Policy but Minimizes Its Significance

On page 11 of its Letter of Intent, the applicant quotes the Black Forest/North Central Priority Development Area recommendation that the County should maintain and expand the Large-Lot Residential place-type in a manner consistent with the established character of the Black Forest community.

The applicant then suggests that the surrounding Large-Lot Residential designation may represent a mapping inconsistency because portions of Walden and Walden Preserve contain lots smaller than the approximately 2.5-acre lot size generally associated with that place-type.

That claim warrants particular scrutiny. Walden existed when the County adopted its 2021 Master Plan. The presence of smaller lots was therefore part of the existing development context when the County established its planning framework. The fact that some existing lots differ from the general description of a place-type does not, standing alone, establish that the County made a mapping error. Nor does it justify disregarding the adopted Large-Lot Residential designation when evaluating a request for substantially smaller lots.

Indeed, the applicant's own Letter of Intent acknowledges that the surrounding residential area is overwhelmingly developed with detached single-family homes, not attached, two-family dwellings.

The Commission should not substitute the applicant's interpretation of an alleged mapping inconsistency for the County's adopted planning framework without supporting evidence establishing that the designation was erroneous.

The appropriate analysis is whether RS-5000 zoning would respect the intended relationship between the subject property's Suburban Residential designation and the surrounding Large-Lot, detached single-family, residential development pattern.

III. RS-5000 Permits a Broader Range of Residential Development Than Conventional Detached Single-Family Housing

The applicant argues that changing the requested zoning from RM-12 to RS-5000 represents a meaningful reduction in residential density and eliminates multifamily development from this portion of the property.

However, the County's LDC establishes that RS-5000 contemplates more than conventional detached single-family residential development.

LDC § 3.2.3(C) describes RS-5000 as intended to accommodate single-family and two-family residential development. Furthermore, § 5.2.23(A) establishes standards for attached single-family dwellings within RS-5000, limiting attached configurations to no more than two dwelling units and imposing applicable dimensional and design requirements.

The applicant's own Letter of Intent identifies the following minimum lot areas:

- **5,000 square feet** for detached single-family dwellings; and
- **7,000 square feet** for two-family dwellings and certain other uses.

A minimum lot area of 5,000 square feet corresponds mathematically to approximately 8.7 detached dwelling units per acre. If two-family dwellings are authorized on qualifying 7,000-square-foot lots, that standard corresponds mathematically to approximately **12.4 dwelling units per acre**.

For comparison, the previously denied RM-12 district permits a maximum density of 12 dwelling units per acre.

These figures are theoretical and do not establish an achievable development yield. Roads, water, drainage/waste water, setbacks, utilities, lot configuration, access requirements, and other applicable standards may substantially reduce the number of units that could actually be constructed.

Additionally, attached single-family dwellings on separate lots must not be confused with two-family dwellings on a single lot. A dimensional standard does not independently establish that a particular use is permitted.

Nevertheless, the applicant's own description raises a material question concerning whether the revised zoning classification reduces the property's potential residential intensity to the extent asserted.

Before accepting the applicant's claim that RS-5000 materially reduces development intensity, the Commission should identify the uses authorized by the applicable permitted-use table, determine the approval requirements for each residential configuration, and evaluate the realistic development potential of the property.

Even if two-family dwellings are not authorized as a principal use, replacing RR-5 zoning with a district allowing detached residential lots as small as 5,000 square feet remains a substantial alteration in residential scale and character from the surrounding areas.

The Commission must evaluate the full range of development rights authorized by RS-5000, rather than assuming that changing the zoning designation necessarily resolves the density and compatibility concerns underlying the prior denial.

IV. The Applicant's Proposed Transition Between Residential Intensities Fails to Adequately Address Existing Infrastructure Constraints

The applicant characterizes the subject property as a transition area between Highway 83, Monument Academy, and established residential neighborhoods. It argues that the proposed combination of RS-5000 and RM-12 zoning would create a graduated development pattern consistent with the surrounding area.

However, the presence of different residential zoning classifications does not automatically establish a compatible transition. The Commission must evaluate not only residential density, building scale, and neighborhood character, but also whether the existing infrastructure can reasonably accommodate the additional development.

Of particular concern are the documented deficiencies in the surrounding roadway network and unresolved questions regarding the capacity of the water and wastewater systems serving the area.

The Highway 83, Highway 105, and Walker Road intersection already experiences significant traffic congestion. Reporting on the applicant's earlier Traffic Impact Study identified Level of Service F conditions during certain peak periods, including conditions occurring without the additional traffic associated with the proposed development. These findings raise substantial concerns about introducing additional residential density into an area where existing roadway infrastructure is already operating at unacceptable levels of service during certain periods.

These concerns are particularly significant given the proximity of Monument Academy and the additional traffic associated with student arrival and dismissal. The cumulative effect of P2611 and P2612 must be considered rather than evaluating each rezoning in isolation.

The applicant's reliance on existing urban-standard roadways does not resolve these concerns. A roadway's design classification does not establish that it has adequate operational capacity, particularly where traffic studies have identified existing deficiencies.

Equally important are questions concerning the capacity and condition of the water and wastewater infrastructure serving the surrounding area. County records identify a wastewater treatment plant replacement project associated with the Walden Water and Sanitation District, service capacity issues, but questions still remain as to how and whether the new project has the funding to complete to standard, while residents have raised concerns regarding existing utility conditions, as well as service capacity.

Although the existence of a replacement project does not independently establish that the current system has exceeded its permitted capacity, it raises legitimate questions about whether existing infrastructure can accommodate additional residential demand without further improvements, and without the proper funding, whether such project can be completed.

The applicant also relies on the Master Plan's policy encouraging attached housing to facilitate transitions between areas of differing development intensity. However, that policy does not establish that multifamily zoning is appropriate where the infrastructure necessary to support additional density has not been adequately demonstrated.

A reduction in the proposed density from RM-30 to RM-12 does not, by itself, resolve existing roadway deficiencies or establish sufficient water and wastewater capacity.

The Commission should therefore evaluate the proposed transition in the context of existing infrastructure limitations, cumulative development impacts, and the potential burden on surrounding residents.

The Commission should not equate the applicant's description of an alleged transitional development pattern with a demonstrated finding of compatibility or infrastructure adequacy.

V. Roadway Improvements and Utility Availability Do Not Establish Adequate Capacity to Support Additional Residential Density

Again, the applicant alleges that the surrounding roadways were constructed to urban standards and that centralized water and wastewater infrastructure is available. However, even if existing infrastructure could maintain the current density, the existence of infrastructure must be distinguished from its actual capacity to support additional development.

According to the applicant's Letter of Intent, the alleged roadway improvements associated with Jane Lundeen Drive and Pinehurst Circle were required pursuant to the Monument Academy development agreement and were based, in part, on earlier planning assumptions involving more intensive retail and office development. Significantly, the applicant acknowledges that the property remained zoned RR-5 when those improvements were required.

Infrastructure allegedly constructed in anticipation of possible future development does not establish that the existing system is adequate for the development now proposed, nor does it create an entitlement to more intensive residential zoning.

The previously reported Level of Service F conditions at the Highway 83, Highway 105, and Walker Road intersection demonstrate the importance of evaluating actual roadway performance rather than relying solely on roadway design standards.

The applicant has submitted a revised Traffic Impact Study dated September 2026. Before recommending approval, the Commission should require an evaluation identifying existing deficiencies, projected traffic generated by both P2611 and P2612, necessary roadway improvements, establishment of adequate/proper funding, and whether those improvements can be completed before additional development traffic affects the surrounding roadway network.

Similar scrutiny is warranted regarding water and wastewater infrastructure. The existence of centralized utility connections does not establish that the water distribution system has adequate available capacity or that the wastewater collection and treatment systems can accommodate additional residential demand, especially given the fact that there are issues with the current system.

The Walden Water and Sanitation District wastewater treatment plant replacement project further underscores the need to establish the operational status, available capacity, adequate funding, and anticipated completion of necessary infrastructure improvements.

The applicant's Letter of Intent also states that a project-specific Water Resources Report was not required at the rezoning stage and that a water-sufficiency determination would occur during subsequent subdivision review. However, regional water-supply projections do not establish the available capacity of the local water distribution system or the wastewater collection and treatment infrastructure serving this particular development.

Before recommending approval, the Commission should require sufficient evidence addressing:

- Existing roadway operating conditions and the cumulative traffic impacts of P2611 and P2612;
- Available water supply and water distribution capacity, accounting for existing and committed service demands;
- Available wastewater collection and treatment capacity, including the status of planned or necessary facility improvements; and
- The improvements required to serve the proposed development, including their timing, funding, and responsibility for implementation.
- Appropriate/proper funding.

Deferring these matters to subsequent development review without adequately evaluating their implications for the requested zoning risks approving a level of residential intensity before establishing whether the necessary supporting infrastructure can reasonably accommodate it.

The Commission need not assume that all infrastructure deficiencies have been conclusively established. Rather, the applicant should provide sufficient evidence to support the findings required for approval.

The existence of roads and utility infrastructure does not, standing alone, demonstrate that additional residential density is appropriate. The Commission must determine whether the proposed zoning satisfies the County's site-suitability and compatibility criteria in light of existing conditions and reasonably anticipated infrastructure needs.

VI. The Revised Application Must Address the Concerns Underlying the BOCC's July 2026 Denial

The applicant's Letter of Intent acknowledges that the BOCC denied the prior RM-12 application on July 23, 2026, following testimony concerning the urban nature of the proposed zoning compared with the more rural character of surrounding development.

This acknowledgment is significant because the revised application changes the zoning classification without changing the location, surrounding land-use designations, or established neighborhood development pattern. The applicant relies on LDC § 2.1.4, arguing that the revised zoning constitutes a materially different application eligible for resubmittal.

However, the threshold for resubmitting a previously denied application is distinct from the substantive approval criteria under § 5.3.5.

Even assuming the revised application satisfies § 2.1.4, the Commission must independently determine whether RS-5000 satisfies the applicable Master Plan, compatibility, and site-suitability requirements. A revised zoning classification does not resolve the concerns underlying the prior denial unless the applicant demonstrates that the resulting development pattern is appropriate for this location, which it is not, as the current surrounding areas are designated rural, farms and Large-Lot, detached, single family homes.

VII. Colorado Supreme Court Precedent Supports Denial of Rezoning That Fails to Demonstrate Compatibility with Surrounding Development

Colorado Supreme Court precedent confirms that counties possess substantial discretion to deny rezoning applications when their decisions are supported by competent evidence and grounded in applicable land-use regulations.

In *Ford Leasing Development Co. v. Board of County Commissioners*, 186 Colo. 418, 528 P.2d 237 (1974), the Colorado Supreme Court upheld a county's denial of a rezoning application seeking to introduce commercial and higher-density residential development into an area subject to lower-intensity planning objectives.

Notably, the proposed development incorporated townhouses as a buffer between the commercial use and surrounding properties and included landscaping intended to make the project compatible with the neighborhood. Nevertheless, the county determined that the proposed development was incompatible with surrounding land uses.

The Supreme Court affirmed, emphasizing that the compatibility determination was fairly debatable and supported by competent evidence. The Court refused to substitute its judgment for that of the county commissioners.

The significance of *Ford Leasing* is that proposed buffering, transitional development, and design accommodations do not compel rezoning approval where the evidence supports a finding of incompatibility with surrounding land uses.

This principle is directly relevant to P2611. The applicant relies on roadway separation, Monument Academy, topography, future landscaping, and the proposed transition between residential densities to support RS-5000 zoning. However, these features do not relieve the applicant of demonstrating that the residential uses, lot sizes, and development intensity authorized by RS-5000 satisfy the County's compatibility requirements.

In *Board of County Commissioners v. Conder*, 927 P.2d 1339 (Colo. 1996), the Colorado Supreme Court further recognized that counties may give regulatory effect to master-plan requirements when those requirements are incorporated into duly adopted land-use regulations and are sufficiently definite to provide fair notice and permit meaningful judicial review.

Although *Conder* involved subdivision approval rather than rezoning, its reasoning is relevant because El Paso County has expressly incorporated general Master Plan conformance into its rezoning criteria under LDC § 5.3.5(B).

The applicant therefore cannot rely exclusively on broad Master Plan policies supporting housing diversity or suburban development while minimizing other applicable planning objectives, including the Black Forest/North Central Priority Development Area's recommendation to maintain the established, rural, Large-Lot Residential development pattern.

Taken together, these decisions support three principles relevant to P2611: compatibility is a substantive land-use consideration; the County may deny rezoning when competent evidence supports a finding of incompatibility; and adopted planning criteria must receive meaningful consideration in the approval process.

The Commission should apply these principles to the full range of development authorized under RS-5000, rather than treating the reduction from the previously requested RM-12 classification as sufficient evidence of compatibility.

If the record does not support the findings required by LDC § 5.3.5(B), the Commission has a legally supportable basis to recommend denial of P2611.

VIII. Conclusion

The applicant has identified considerations supporting residential development, including infrastructure availability, roadway access, and the property's Suburban Residential placetype.

However, those considerations must be weighed against the adopted Large-Lot Residential planning framework, the established surrounding development pattern, and the full range of residential development authorized under RS-5000.

The applicant has not, in my view, adequately demonstrated that these concerns are resolved merely by changing the requested classification from RM-12 to RS-5000.

For these reasons, I respectfully request that the **El Paso County Planning Commission recommend denial of P2611**, with findings addressing Master Plan conformance, compatibility with existing and permitted land uses and zoning districts in all directions, and site suitability under LDC § 5.3.5(B).

Respectfully,

/s/ Katherine King-Walker
Katherine King-Walker, Esq., BSN
El Paso County and Walden Resident

FORMAL OPPOSITION TO P2611 AND P2612

Proposed Rezoning of MA Subdivision Tract A — Highway 83 and Walker Road

Dear Planning Commissioners and Board of County Commissioners:

We, like other residents in our community, are submitting this letter anonymously. We do so reluctantly, because residents should be able to participate in the public land-use process without concern that doing so could create unwanted personal conflict or scrutiny within their community.

Since the previous hearing, some residents have expressed concerns about how opposition to the rezoning has been received and about the potential for community-level conflict arising from their participation. The applicant also serves as president of the Walden community's Property Owners Association (POA). In this context, some residents are uncomfortable publicly identifying themselves while expressing opposition to the applications.

We are not alleging that any individual has acted unlawfully or asserting that anyone intends to retaliate against residents. Rather, we are explaining why some residents have chosen to protect their identities while exercising their right to participate in this public process.

No resident should feel that they must choose between participating in a public hearing and preserving their privacy within their community. We therefore respectfully ask that our anonymity be respected and that P2611 and P2612 be evaluated objectively, based on the evidence, the County's adopted plans and regulations, and the applicable rezoning criteria—not on the identity of those who support or oppose the applications.

We strongly oppose P2611 and P2612, which propose rezoning the property from RR-5 to RS-5000 on the southern portion and RM-12 on the northern portion. These revised applications do not resolve the fundamental planning concerns that led the Board of County Commissioners (BOCC) to deny the original applications in July.

The Planning Commission previously voted 6–1 to recommend denial, and the BOCC denied the original requests 3–2. The Board's findings focused on **Criterion 1, general conformance with the Master Plan, and Criterion 3, compatibility with existing and permitted land uses and zoning in all directions**. Those concerns remain relevant and must be addressed on the merits of the revised applications.

Criterion 1: General Conformance with the Master Plan

The applicant has not demonstrated that the revised applications conform to the County's adopted Master Plan when the plan is considered as a whole.

The property lies within a planning context that includes a small island Suburban Residential area associated with Walden that existed long before the master plan was created, surrounded by a broader Large-Lot Residential area. The County's own planning materials have identified this relationship and noted that multifamily development is not supported within the Large-Lot Residential placetype which is the dominant placetype in this area as determined by the master plan. The property is also within the Black Forest/North Central Large-Lot Residential Priority Development Area, where the planning direction emphasizes **maintaining and expanding a development pattern consistent with the area's existing character.**

The County's *Minimal Change: Developed* designation should not be interpreted as a blanket authorization for substantially more intensive zoning. The Master Plan's intent to maintain the general existing character where development occurs requires the County to consider the scale, density, form, and cumulative effect of proposed development—not simply whether a proposed use is permitted somewhere within a broader placetype that is an island and was pre existing.

RS-5000's classification as Residential Suburban does not, by itself, establish that the zoning is appropriate for this particular property. Likewise, the fact that multifamily housing may be a supporting use within Suburban Residential does not mean that RM-12 is automatically appropriate at every location carrying that designation. Additionally, the RS-5000 zone district allows for multi family 2 dwelling units and at max density would allow 12.4 units per acre which is **MORE** than the RM-12 zone district at 12 units per acre.

The County adopted its 2021 Master Plan after Walden was already established. The plan **retained the surrounding area's Large-Lot Residential designation rather than designating the entire area as Suburban Residential.** The County should respect that planning distinction rather than allow a smaller Suburban Residential area to become the justification for progressively increasing density in the surrounding rural area.

The applicant has reduced the density from the original proposals, but a reduction from a previously denied request is not the same as demonstrating conformance with the Master Plan. The surrounding community, adopted planning designations, and fundamental land-use context have not materially changed since July.

We urge the Commission to evaluate the entire planning framework and determine whether these specific zoning requests maintain the character contemplated by the adopted plan. We believe the applications fail to establish Criterion 1.

Criterion 2: The Availability of Adequate Facilities and Services

The proposed increase in residential development raises unresolved concerns about transportation infrastructure, safe access, and emergency response.

The September 2026 traffic analysis discussed in the application materials estimates approximately 131 dwelling units and 940 daily vehicle trips for Tract A, in addition to approximately 29 units and 293 daily trips associated with Tract B. Together, these represent approximately 160 homes and more than 1,200 daily vehicle trips across the related development.

This development is proposed near the intersection of Highway 83, Highway 105, and Walker Road, immediately adjacent to Monument Academy. Traffic generated by residents would interact with school traffic, buses, parents, staff, pedestrians, and inexperienced teenage drivers. The July BOCC hearing also raised concerns about congestion and the potential for traffic to spill onto neighborhood roads when the Highway 83 intersection cannot adequately accommodate demand.

The revised traffic analysis identifies roadway improvements and traffic-management measures, but the existence of proposed improvements does not establish that they are funded, scheduled, or sufficient to support the proposed development. The analysis also defers evaluation of sight distance at the Tract A access points to later subdivision or site-development review. Please see CDOT letter regarding concerns in and around this intersection.

The County should carefully consider whether it has sufficient evidence now to determine that safe and adequate access can be provided. Fundamental safety questions should not be left unanswered at the rezoning stage on the assumption that future review will resolve them.

Emergency access and evacuation also deserve particular attention. This is a wildfire-prone region where an emergency can place simultaneous demands on the road network from residents, school personnel, students, emergency responders, and people evacuating nearby areas. Average daily traffic projections alone do not demonstrate that the transportation system can function safely during an emergency, particularly if a primary route is blocked or congested. This community has been evacuated before and as recently as this summer, traffic blocked Highway 83 at this very intersection due to traffic being re-routed due to a fire in Monument. This is a safety issue that needs to be taken very seriously. You are required to make decisions that are best for the community and not only is this application request not best, it is not safe and is a liability.

We ask the County to determine whether the available evidence adequately demonstrates that the proposed development can be served by safe and adequate facilities and services,

including transportation and emergency access. Unfunded improvements, unresolved access questions, and assumptions about future traffic management should not be treated as proof that these needs have been met.

Criterion 3: Compatibility with Existing and Permitted Land Uses and Zoning in All Directions

The applicant has not demonstrated that the revised zoning is compatible with the existing and permitted land uses and zoning surrounding the property.

The current zoning is RR-5. The revised applications seek RS-5000 on one portion and RM-12 on the other. Although these requests are less intensive than the original zoning proposals in some respects, they still represent a substantial change from the existing zoning and established large-lot residential context. Not to mention, RM-12 was previously denied on this same parcel of land and nothing has changed and therefor should be denied. RS-5000 while a new request allows at max density 12.4 units per acre, HIGHER density than the previously denied RM-12.

Compatibility must be evaluated in all directions. Proximity to major highways, Monument Academy, and utility infrastructure may be relevant considerations, but those factors do not eliminate the need to evaluate the relationship between the proposed zoning and the surrounding RR-5 properties and Large-Lot Residential placetype.

The applicant's argument that the property can serve as a transition to higher-density development does not, by itself, establish that the requested zoning creates an appropriate transition. A transition should be consistent with the adopted planning framework and appropriate in density, scale, and relationship to surrounding development. The County must determine whether the proposed zoning provides that transition or instead introduces a substantially different development pattern into the surrounding area.

The July BOCC hearing addressed the tension between the Suburban Residential area and the surrounding Large-Lot Residential designation. That issue has not disappeared. Nor has the presence of the surrounding rural and large-lot residential properties changed simply because the applicant has moved RM-12 to a different portion of the property.

The County must distinguish between a use being allowed in a particular placetype and that use being compatible at a particular location that is designated for Large-Lot Residential. The fact that multifamily housing may be a supporting use in Suburban Residential does not settle the compatibility question, particularly where the property is surrounded on multiple sides by Large-Lot Residential development.

We therefore urge the Commission to evaluate the actual surrounding land uses, zoning, development pattern, and adopted placetypes—not merely the proposed zoning labels or the presence of nearby roads and a school. We believe the revised applications have not established Criterion 3.

Criterion 4: The Impact of the Proposed Rezoning on the Surrounding Area

The County should consider the full impact of the proposed increase in development intensity, including traffic, neighborhood character, public safety, and the cumulative effects of related development.

The revised applications cannot be evaluated in isolation from the broader development context. The traffic analysis discussed in the application materials estimates approximately 131 units on Tract A and approximately 29 additional units on Tract B, with more than 1,200 daily vehicle trips combined. These figures underscore the importance of considering the cumulative effect of related development on the surrounding transportation network and community. This does not take into account the recent rezone approval right down the road from RR-5 to RR-2.5 which also adds homes and trips in this area.

The impact is not limited to the number of units or the number of daily trips. Development intensity affects the scale and pattern of residential development, the relationship between new and existing neighborhoods, roadway demands, and the number of people relying on the same routes during an **emergency**.

The County should also consider whether approving these applications would establish a precedent for using the small Suburban Residential area as a basis for progressively more intensive development within the surrounding Large-Lot Residential area. Individual rezonings can collectively alter a community's character even when each application is presented as a limited or reduced change. This goes directly against what our LDC and master plan say is envisioned for this areas future growth.

We recognize that development and housing needs are legitimate planning considerations. However, generalized housing demand does not establish that this specific property is suitable for the requested zoning. The County must still determine whether the proposed intensity is appropriate for this location and whether its effects can be adequately accommodated.

The applicant has reduced the density compared with the original proposals, and that change should be acknowledged. However, a reduction in density does not automatically resolve the concerns about compatibility, traffic, emergency access, or consistency with

the Master Plan. Those impacts must be evaluated on the evidence available for the revised applications.

Conclusion: The Fundamental Reasons for Denial Remain

The July denials were based on substantive concerns about Master Plan conformance and compatibility with surrounding land uses. The revised applications moved RM-12 from the south side of the property to the north side which does not change anything and should be denied. RS-5000 is a change in the zoning requested on that portion of the property and but RM-12 was denied there first and this zone at max intensity allows for a **greater** number of units per acre, 12.4 vs 12. They do not change the surrounding neighborhood, the adopted Master Plan designations, the LDC or the fundamental questions about whether the proposed zoning is appropriate at this location.

We respectfully ask the Planning Commission and Board of County Commissioners to evaluate each of the four required rezoning criteria independently and in light of the full record. The applicant should be required to demonstrate that the revised proposals satisfy those criteria; a change in zoning labels or a reduction from the previously denied density is not, by itself, sufficient.

Same land. Same fundamental compatibility concerns. Same reasons to deny. The Commission previously voted 6–1 to recommend denial, and the BOCC subsequently denied the original applications. Unless the revised proposals provide persuasive evidence that the deficiencies have been resolved, we urge the Commission to recommend denial of P2611 and P2612 and the BOCC to deny both applications.

Responsible growth means development that **fits** the County’s adopted planning framework, respects the surrounding community, and can be supported **safely** by existing and adequately demonstrated infrastructure—not development that goes against what the county vision for future development is for this area or requires the County to stretch its planning standards beyond comprehension to accommodate a proposal.

Respectfully submitted,

Concerned Residents of the Walden and Surrounding Communities

OPPOSE

Name: Concerned El Paso County Resident

Date: 10/20/2026 9:38 AM

Strongly opposed. See attached letter.

OPPOSE

Name: Kristin Maurelia

Date: 10/21/2026 9:28 AM

I oppose

OPPOSE

Name: TAH

Date: 10/22/2026 6:19 PM

Where is the water assessment for a higher population in the Walden subdivision ?

FORMAL OPPOSITION TO P2611 AND P2612

Traffic Safety, Emergency Access, Land-Use Compatibility, and the County's Responsibility to Protect the Community

To: El Paso County Planning Commission and Board of County Commissioners

Re: P2611 and P2612 — Highway 83 and Walker Road

Position: Denial of both applications

Dear Planning Commissioners and County Commissioners:

We, like other residents in our community, are submitting this letter anonymously. We do so reluctantly, because residents should be able to participate in the public land-use process without concern that doing so could create unwanted personal conflict or scrutiny within their community.

Since the previous hearing, some residents have expressed concerns about how opposition to the rezoning has been received and about the potential for community-level conflict arising from their participation. The applicant also serves as president of the Walden community's Property Owners Association (POA). In this context, some residents are uncomfortable publicly identifying themselves while expressing opposition to the applications.

We are not alleging that any individual has acted unlawfully or asserting that anyone intends to retaliate against residents. Rather, we are explaining why some residents have chosen to protect their identities while exercising their right to participate in this public process.

No resident should feel that they must choose between participating in a public hearing and preserving their privacy within their community. We therefore respectfully ask that our anonymity be respected and that P2611 and P2612 be evaluated objectively, based on the evidence, the County's adopted plans and regulations, and the applicable rezoning criteria—not on the identity of those who support or oppose the applications.

My opposition is grounded in substantive concerns about traffic safety, emergency access, compatibility with surrounding properties, and the County's responsibility to make land-use decisions that protect the public interest.

The central question is not simply whether the revised applications are less dense than the proposals denied in July. It is whether this location can safely and compatibly support the proposed development, given the existing transportation network, school-related traffic, surrounding residential character, and unresolved safety questions.

I am not opposed to responsible growth or to addressing the need for housing. I am opposed to approving a substantial increase in residential density without adequate evidence that the resulting traffic, access, infrastructure, and compatibility concerns have been satisfactorily resolved.

The central question is not whether these applications are less dense than the proposals denied in July. It is whether the revised applications demonstrate that this location can safely and compatibly support the proposed development. A reduction in density does not, by itself, resolve traffic hazards, establish compatibility, or demonstrate that the County's rezoning criteria have been satisfied.

I respectfully ask the County to evaluate these applications using its own Land Development Code (LDC), adopted Master Plan, and rezoning criteria—and to deny them if the required findings cannot be supported by the evidence.

1. Traffic safety: The County should not approve zoning while material safety questions remain unresolved

The applicant's September 2026 traffic study estimates the following impacts:

- **Tract A:** 131 dwelling units and approximately 940 daily vehicle trips.
- **Tract B:** 29 dwelling units and approximately 293 daily vehicle trips.
- **Combined:** Approximately 160 dwelling units and 1,233 additional daily vehicle trips.

These trips would be added to a transportation network already serving Monument Academy, existing neighborhoods, rural residential properties, and regional traffic traveling along Highway 83, Highway 105, and Walker Road. The nearby Walden Preserve development is also adding homes to this area.

The issue is not simply the number of vehicles on an average day. It is when, where, and under what conditions those vehicles enter and exit the roadway network. School drop-off and pick-up periods create concentrated traffic demand at the same time that parents, students, school staff, and other commuters are navigating the surrounding roads.

The traffic materials identify significant peak-hour operating concerns, including projected failing conditions at the development's access during the school-related afternoon peak period. They also identify roadway improvements and access questions that are not fully resolved at this stage.

These are not minor details to be left for later. They are central to determining whether the proposed zoning is suitable for this location.

Before approving a rezoning of this scale, the County should have clear, credible evidence addressing:

- Whether the existing intersections and roadways can safely accommodate the proposed development's peak-hour traffic, together with other reasonably foreseeable development.
- Whether required road and intersection improvements are identified, feasible, funded, and scheduled—not merely anticipated at some future stage.
- Whether access locations can provide adequate sight distance and safe turning movements.
- Whether drivers can enter and exit the development without creating unacceptable conflicts, queues, or unsafe maneuvers near the school and surrounding intersections.
- Whether the traffic analysis fully accounts for cumulative development and school traffic, rather than treating each project in isolation.

A traffic study that identifies unresolved issues does not establish that those issues will necessarily be resolved. Nor should the County assume that future engineering review will produce a safe outcome without first understanding what improvements are needed and whether they can realistically be delivered.

The County should not approve a zoning intensity first and leave fundamental questions about safe access and adequate transportation capacity to be answered after the land-use decision has been made.

2. Sight distance, pedestrian conditions, and the safety of children and families

The applicant's traffic materials state that sight distance for Tract A's access points will be evaluated during future site development plan and final plat review. Sight-distance issues for Tract B are also deferred to a future traffic study supplement.

That leaves a fundamental safety question unanswered at the rezoning stage: can the proposed access points provide adequate visibility for vehicles entering and leaving the development under actual roadway conditions?

Sight distance is not a paperwork detail. It affects whether drivers can see approaching traffic, judge gaps, turn safely, and react to unexpected hazards. The County should understand whether safe access is feasible before approving zoning that depends on that access.

The traffic materials also describe limited sidewalk coverage in the study area and an absence of existing bicycle facilities on the study-area roadways. These conditions matter when evaluating a location near a school and established residential neighborhoods.

The County should consider the safety of all road users—not only people traveling inside vehicles. Students, pedestrians, cyclists, parents, residents, and emergency responders all use or depend on this transportation network.

If the proposal increases vehicle movements without a demonstrated plan for safe access and appropriate supporting infrastructure, the resulting risks extend beyond the property boundary.

I ask the County to require the applicant to resolve these material safety questions with documented engineering analysis and a credible improvement plan before treating the location as suitable for the requested zoning.

3. Emergency access and wildfire evacuation are community-wide concerns

This area is part of a region with a significant wildfire history. The 2013 Black Forest Fire required large-scale evacuations and destroyed hundreds of homes. In a wildfire or other emergency, road capacity, access, congestion, and the ability to move residents safely can become critical.

Adding residential density increases the number of people who may need to evacuate within a limited period. That does not automatically mean a particular development will make evacuation impossible, but it makes emergency access and evacuation capacity legitimate planning considerations that deserve a serious, site-specific evaluation.

The County should ask whether the transportation network can accommodate both ordinary peak-hour traffic and emergency conditions, particularly when the area is also experiencing other residential growth.

A responsible review should address:

- Available evacuation routes and their capacity.
- Potential bottlenecks at Highway 83, Highway 105, Walker Road, and nearby intersections.
- The effects of simultaneous evacuations and other traffic demands.
- Whether proposed access arrangements remain safe and functional under emergency conditions.
- The extent to which planned improvements would actually reduce identified risks.

These questions should not be dismissed as speculative merely because an emergency is not occurring today. Land-use planning is inherently forward-looking. The purpose of planning is to consider foreseeable conditions before approving development that may make those conditions more difficult to manage.

Public safety should be evaluated before development rights are expanded, not after an emergency exposes the consequences of inadequate planning.

4. Rezoning Criterion 3: Compatibility must be evaluated in all directions

The County's Rezoning Criterion 3 asks whether the proposed land use or zone district is compatible with existing and permitted land uses and zone districts **in all directions**.

That language matters. Compatibility cannot be established by looking only toward Highway 83, Highway 105, Monument Academy, or nearby infrastructure.

The County must also consider the residential properties surrounding the site, including the RR-5 and large-lot residential pattern to the north, south, and west.

The County's own planning materials describe this area as a Suburban Residential pocket surrounded by Large-Lot Residential on three sides. The County has also identified that multifamily development is not supported within the Large-Lot Residential placetype. The Master Plan's applicable guidance for the Black Forest/North Central Large-Lot Residential Priority Development Area emphasizes maintaining and expanding a development pattern consistent with the existing large-lot character.

The applicant's revised proposal reduces the intensity of the original request, and that change should be acknowledged. But reducing density is not the same as demonstrating compatibility.

The revised applications still seek a substantial change from the existing RR-5 zoning, including RM-12 zoning on one tract. The surrounding neighborhood has not become urban simply because the applicant has changed the proposed zoning districts.

Nor does proximity to a highway or school automatically make multifamily development compatible with rural and large-lot residential properties. Those features are relevant to the analysis, but they do not replace the required evaluation of scale, intensity, traffic, safety, and surrounding land uses in all directions.

The County should not confuse the fact that a use may be allowed as a supporting use within a planning category with a finding that it is appropriate at every location within that category.

The question is not whether this development can be made less dense than the original proposal. The question is whether the requested zoning belongs here.

I respectfully submit that the applicant has not adequately demonstrated that the revised proposals satisfy Criterion 3.

5. The County's own planning framework requires a decision grounded in the public interest

The County's Land Development Code and adopted Master Plan provide a framework for evaluating proposed development. That framework requires more than considering whether a property owner wishes to develop land or whether additional housing is needed in the region.

It requires the County to evaluate the proposed zoning against applicable rezoning criteria, the adopted planning vision, the surrounding land uses, and the suitability of the site for the proposed intensity.

Criterion 1 asks whether the application generally conforms to the Master Plan or whether there has been a substantial change in neighborhood character since the land was last zoned. Criterion 3 requires compatibility with existing and permitted land uses and zone districts in all directions.

Those standards require the County to exercise independent judgment. They are not satisfied simply because an applicant revises a proposal or argues that the new version is less intense than the one previously denied.

The Board's July denial of the original applications focused on Criteria 1 and 3. The revised applications change the proposed zoning and density, but the County must still determine whether the underlying land-use and compatibility concerns have actually been resolved.

The County should also evaluate whether the proposed development is consistent with the Master Plan's guidance for this area, including the surrounding Large-Lot Residential pattern and the direction to preserve the general character of areas designated for minimal change.

A countywide need for housing does not establish that every site is suitable for higher-density housing. Responsible planning requires the County to determine where development belongs and what level of intensity can be supported safely and compatibly.

The County serves the community by applying its adopted standards consistently—even when that means denying a development proposal that does not adequately meet them.

6. Foreseeable safety risks create a responsibility to make a well-supported decision

I am asking the County to take the potential safety implications of these applications seriously—not only as a planning concern, but as a matter of responsible public administration.

When a proposal introduces substantial additional traffic into an area with identified peak-hour congestion, limited pedestrian and bicycle facilities, unresolved sight-distance questions, and emergency-access considerations, those risks deserve careful evaluation before approval.

I am not suggesting that approval would automatically establish legal liability for any future accident. Legal liability depends on the specific facts and applicable law. But the County should recognize the importance of making a decision based on a complete record, addressing known safety concerns, and ensuring that required standards and mitigation measures are supported by evidence.

If the County approves these applications while material safety questions remain unanswered, it risks placing the burden of unresolved planning decisions on the surrounding community, road users, school families, and emergency responders.

The appropriate response is not to assume that later reviews will solve every problem. It is to determine whether the requested zoning is suitable and whether safe access and adequate infrastructure can be demonstrated.

If the applicant cannot establish that, the County should not approve the rezoning.

7. Requested findings and action

I respectfully ask the Planning Commission and Board of County Commissioners to:

1. **Deny P2611 and P2612** if the evidence does not establish compliance with the applicable rezoning criteria, particularly Criteria 1 and 3.
2. Evaluate traffic impacts during school-related peak periods and account for cumulative development in the surrounding area.
3. Require adequate sight-distance analysis and a clear demonstration that safe access is feasible for both tracts.
4. Determine whether necessary roadway and intersection improvements are feasible, funded, and scheduled before relying on them to support the proposed development intensity.

5. Evaluate emergency access and wildfire evacuation considerations in the context of the area's existing road network and anticipated growth.
6. Evaluate compatibility with surrounding RR-5 and Large-Lot Residential properties in all directions, rather than relying primarily on the site's proximity to highways, a school, or utilities.
7. Explain on the record how the evidence supports each required rezoning finding, including how the County has addressed identified traffic and safety concerns.

If the County believes these applications satisfy the applicable standards, I ask that it identify the specific evidence supporting that conclusion and explain how the unresolved transportation and compatibility concerns have been adequately addressed.

Conclusion: The community should not bear the consequences of unresolved planning questions

The residents of this area deserve safe roads, responsible growth, appropriate land-use transitions, and a planning process that applies the County's adopted standards consistently.

The applicant has revised the original proposals, but the fundamental questions remain: Can this transportation network safely accommodate the proposed development? Are the necessary improvements realistically achievable? Can the site be accessed safely? Is the proposed density compatible with the surrounding large-lot residential community? And do the applications satisfy the County's own rezoning criteria?

These are not questions that should be answered through assumptions or deferred promises. They should be answered with evidence before the County expands development rights.

A development proposal should not be approved merely because it is less intense than a previous proposal. It should be approved only when it is shown to be appropriate for the location, compatible with the surrounding community, and supportable under the County's adopted standards.

For these reasons, I respectfully urge the Planning Commission and Board of County Commissioners to deny P2611 and P2612.

Sincerely,

A Concerned Community Member

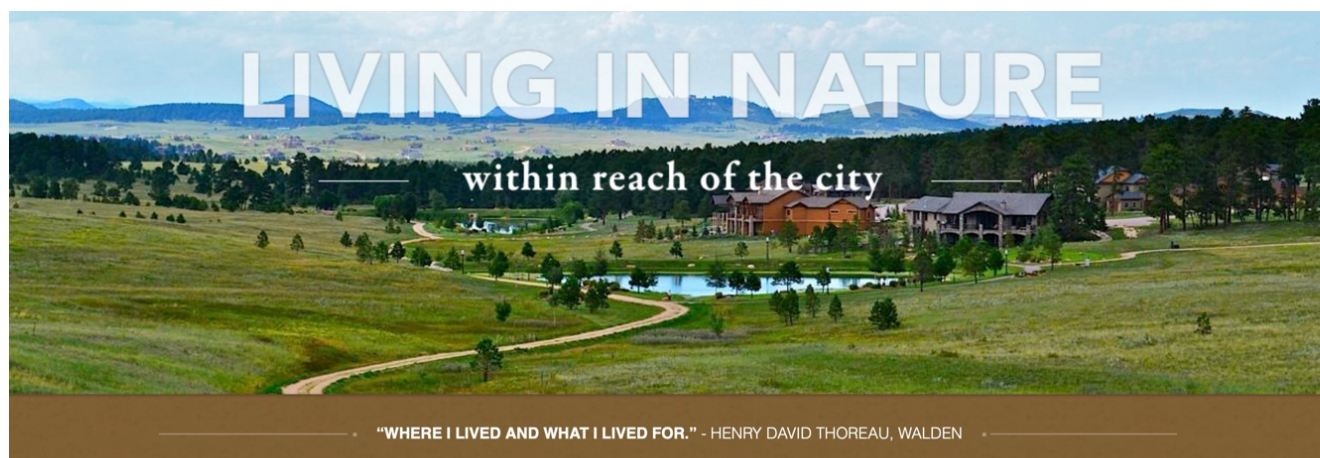
OPPOSE

Name: Concerned Walden Resident

Date: 10/23/2026 11:42 AM

Please see attached PDF for evidence.

The rural culture and beautiful setting of the Walden Preserve development were the main reasons for my wife and I to build our house here in 2010. Before we signed the papers to buy our lot, we met with one of the Walden developers, Matt Dunston, who repeatedly told us how great the area was and how he would always work to ensure his vision of the rural character of this development would never change. Even today, the first page of the developer's website for Walden Preserve shows a photo emphasizing the wide-open space of the development and includes a Henry David Thoreau quote, "Where I Lived and What I Lived For." Unfortunately, we believed what the developer personally told us in our first meeting. However, in 2014 the El Paso Board of County Commissioners (BOCC) approved the developers' request to change the Walden lot size from 2 ½ acres to 1 acre. This change resulted in 66 additional lots being added to Walden Preserve. We also have additional traffic congestion after the Monument Academy charter school was built on the very edge of the Walden Preserve. As the latest change to the developer's vision for Walden Preserve, they now want to further destroy the rural setting by possibly adding either duplexes or higher-density single-family dwellings to the mix! Under a worst-case scenario, the developer's latest vision with P2611 and P2612 could add up to 187 total units if both rezoning requests are approved. I regretfully must concur with one Walden Preserve resident who said, "The only consistency about this developer's vision is that it seems to always change without regard to previous promises made." As a result, I believe the Walden developers have an established track record that shows if P2611 is approved, this will only be the first of many steps leading to yet additional dwellings being added to the Hwy 83 corridor. To keep the rural character of this area and for the safety of Walden residents, please **DO NOT APPROVE** the P2611 request to change the current zoning district from RR-5 to RS-5000.



Cover Page of Walden Preserve Website (waldenpreserve.com), as of 14 October 2026

OPPOSE

Name: Julia Pickett

Date: 10/24/2026 7:30 AM

Our local schools are already overcrowded in this area and efforts to increase funding through ballot measures over the last 10 years have not proven successful leading to degraded educational experiences for our children.

This proposal would worsen our children's education and worsen the already overcrowded schools.

We bought our home in this area because of how it was zoned wanting a more country feel lifestyle. There are so so few remaining rural feeling areas like this in the greater Colorado Springs/Monument area.

We so so hope you will help us preserve the rural feeling of this community and our home / land.

Thank you

LETTER OF OPPOSITION TO REZONING

To: El Paso County Board of County Commissioners

Subject: Opposition to Monument Academy South Residential Rezoning

Re: Traffic Safety, Infrastructure, and Public Welfare

Dear Commissioners:

I respectfully urge the Board of County Commissioners to deny the proposed Monument Academy South residential rezoning near Highway 83 and Highway 105.

My opposition is based on documented traffic projections, unresolved access issues, and legitimate concerns regarding public safety.

The September 4, 2026, Traffic Impact Study prepared by LSC Transportation Consultants projects that the proposed residential development will generate:

- 940 additional weekday vehicle trips from Tract A.
- 293 additional weekday vehicle trips from Tract B.
- A combined 1,233 additional weekday vehicle trips.

These are not speculative figures. They are the traffic consultant's own projections, documented on page 24 of the study. The figures represent estimated daily vehicle entries and exits, not distinct vehicles.

The study also identifies several proposed access arrangements that require deviations from established roadway standards. These include access restrictions on Jane Lundeen Drive, an access point from Pinehurst Circle, and a proposed intersection approximately 317 feet north of the Pinehurst Circle/Jane Lundeen Drive intersection.

Significantly, the report states that approval of these deviations will be pursued at a later subdivision stage rather than during the rezoning process.

Why should the County approve increased residential density before critical roadway access and safety questions have been resolved?

The study further indicates that certain roadway improvements and associated financial obligations may be addressed during subsequent planning and platting stages. That approach places the rezoning decision ahead of the final determination of necessary infrastructure improvements.

Highway 83 is already a high-speed, two-lane regional highway. The traffic study documents posted speeds of 60 and 65 miles per hour near the development area. Adding residential traffic to this roadway network requires particular attention to turning movements, intersection safety, emergency access, and school-related congestion.

I recognize that the traffic study includes intersection capacity analyses. However, acceptable projected traffic operations do not, by themselves, establish that every proposed access configuration is safe or that all necessary improvements are guaranteed.

The County's responsibility is not simply to determine whether additional traffic can be accommodated. It is to protect the safety and welfare of existing and future residents.

I therefore respectfully request that the Board deny this rezoning unless and until the applicant demonstrates that:

1. All proposed access arrangements meet applicable safety standards or receive justified and approved deviations.
2. Necessary roadway improvements are clearly identified, funded, and scheduled.
3. The cumulative effects of residential development, existing school traffic, and future regional growth have been adequately addressed.
4. Public safety will not be compromised by the proposed increase in traffic.

The applicant's own study establishes that substantial additional traffic is anticipated and that important access approvals remain unresolved.

The burden should be on the developer to demonstrate that the infrastructure is ready for the development—not on existing residents to accept the consequences if it is not.

For these reasons, I respectfully request that the Board vote **NO** on the proposed rezoning.

Respectfully submitted,

Richard Foxworthy
Concerned Resident

OPPOSE

Name: Tyler John Pickett

Date: 10/24/2026 7:21 AM

This intersection of Hwy 83 and Hwy 105/Walker is already extremely dangerous and traffic is already excessive for the current 1 lane each direction roads crossing it. approving this rezoning would substantially worsen the traffic burden and danger.

Furthermore, this rezoning is inconsistent with the beautiful and rural country feeling of the area which is the primary draw for the current residents and neighbors of the site in question.

These existing residents of the area purchased their homes here primarily to get away from this exact type of population density that this rezoning and subsequent dense residential building would lead to.

I implore you to help us preserve the rural integrity of our community.

thank you.

OPPOSE

Name: Warren Wilbee

Date: 10/24/2026 10:12 AM

I oppose P2611 and ask that it be denied.

This Board decided this question on July 23. By a 3-2 vote, after a 6-1 Planning Commission recommendation and 273 of 280 comments opposed, you found higher-density zoning on these 15 acres failed Section 5.3.5. Seven weeks later, the same owner refiled for the same land with the districts shuffled, not reduced.

The claimed 25 percent density cut holds only if every lot is a detached house. RS-5000 allows duplexes on 7,000 square foot lots, so the southern 7.56 acres still yields about 94 units, the same ceiling as the denied RM-12. With P2612, these "independent" applications permit roughly 158 to 187 homes where three stand today.

Nothing in 5.3.5 has changed. The neighborhood is still RR-5 five-acre lots. The site still fronts Monument Academy. No water sufficiency has been shown.

Moving the same density to the other half of the parcel is not a material difference. Please deny P2611 for the reasons that governed in July.

Re: Opposition to Rezoning Applications P2611 and P2612 — MA Subdivision Tract A

I strongly oppose both rezoning applications and ask the County to deny them.

The proposed RS-5000 and RM-12 zoning is a poor fit for the rural, large-lot character of the surrounding area. The applicant's own letter acknowledges that the County Master Plan calls for large-lot residential development in this planning area, but argues that existing conditions justify a departure from that guidance. Being near Monument Academy and major roads does not on its own justify a substantial increase in residential density.

The Board denied the earlier applications on July 23, 2026, in part over the conflict between urban-style development and the area's more rural character. The proposed density has been reduced, but the underlying issue has not changed.

For those of us who already live here, the area's rural, low-density character is a fundamental reason for why we moved to this area. These applications would bring a significant change in residential density next to an established community. This is not a minor adjustment or a gradual transition. Moving from RR-5 toward much denser suburban and multi-family development would drastically change the character of the area for the worse. That impact on existing residents should carry significant weight in the County's decision.

The September 2026 traffic study also raises concerns that have not been fully resolved:

- The proposed middle access on Jane Lundeen Drive is projected to operate at Level of Service F during the long-term morning and school-afternoon peak periods.
- The study discusses possible fixes, including turn restrictions or a roundabout, but these are alternatives—not committed improvements.
- Three access deviations for Tract A are left for consideration at the subdivision stage rather than resolved as part of these applications.
- The Highway 83/Highway 105/Walker Road intersection has a history of crashes, including injury crashes, as well as existing congestion and queuing concerns. Potential roadway improvements still require further design and implementation decisions.

The surrounding development plans also matter. The applicant's traffic study evaluates approximately 131 homes on Tract A and an estimated 29 additional homes on Tract B, which is the subject of a separate PUD application. I recognize that the projected traffic from both tracts cannot be attributed solely to P2611 and P2612. The concern is that the County is being asked to approve a substantial increase in density while related development is being considered nearby and important parts of the overall access and traffic plan remain unresolved.

The applicant points to future subdivision review, buffering, and possible infrastructure improvements as ways to address these concerns. But those future steps are not guarantees, and they do not establish that the proposed zoning is appropriate in the first place.

I ask the County to deny P2611 and P2612. The applications have not adequately demonstrated that the proposed zoning fits the established character of the surrounding area or that the transportation and access concerns have been resolved. Moreover, the County should not approve these rezonings on the assumption that important issues will be worked out later.

OPPOSE

Name: Victoria Radovanic

Date: 10/25/2026 6:38 PM

No rezoning. We live here because we like green space. This is important to our community.

We also do not need high density homes/apartments around the school.

OPPOSE

Name: Kevin T.

Date: 10/26/2026 6:11 PM

Changing the zoning to allow increased density is a bad change. If that level of density was desired it should have been changed years ago before everyone bought homes in this area. It is not fair to change it now.

OPPOSE

Name: Cindy Clarke

Date: 10/27/2026 8:17 PM

I strongly disagree with the rezoning which changes the current lots under consideration the higher density. There is nothing even resembling high density for the whole stretch of highway 83 from outside Parker to Interquest in Colorado Springs. The appeal of living here is the wide open spaces, large lots and the feeling of being removed from the cities and being in the country. The beauty of this land is the ranches and wildlife that support a rural lifestyle which is what drew us the relocate here.

OPPOSE

Name: Michael

Date: 10/27/2026 8:01 PM

This area is a beautiful natural area with homes that are spread out and integrated to the landscape. This proposal is money hungry and inappropriate for the space. Not to mention the increase of traffic and how taxing it will be on the infrastructure in the region. Take the greed elsewhere

OPPOSE

Name: Stephanie Colgate

Date: 10/27/2026 8:43 PM

I oppose the proposed rezoning from RR-5 to RS-5000 due to increased traffic, emergency evacuation risks, and inadequate stormwater retention pond maintenance.

This development would add traffic to an already poorly rated intersection, increasing congestion and safety concerns, particularly during an emergency evacuation like the one our community experienced in 2013.

Existing water retention ponds already appear inadequately maintained, with residents regularly contacting Walden Corporation to report foul odors and maintenance issues. This raises concerns about proper inspection and servicing, as well as the impact of additional development on these facilities.

I strongly urge the county to deny P2611 until these infrastructure and safety concerns are fully addressed. Our community should not bear additional risks when existing conditions are already inadequate. Public safety, responsible planning, and residents' well-being must take priority over increased development.

Please include the following opposition for rezoning applications P2611 & P2612.

Rezone application P261 & P262 (RM-12 & RM-30) received 261 public oppositions, 6-1 denial by the Planning Commission, and a 3-2 denial by the BoCC. BoCC Resolutions No 26-235 & 236 restrictions stated that resubmittal will not be accepted for a period of 1 year and there has not been substantial physical change since July 23, 2026.

It is not clear what circumstances authorized the Planning Commission to accept P2611 and P2612 (RS-5000 & RM-12). The Land Development Code requires General Conformance or Substantial Change and neither has occurred. Moving RM-12 from the denied parcel to the adjacent parcel does not qualify as substantial change. The density of P2611 & P2612 is again not compatible in any direction.

Compliance with the Master Plan and Land Development Code are the documented covenants that the residents of El Paso County rely on to protect their communities, and elected leaders are expected to enforce it. Failure to comply and enforce erodes public confidence in the El Paso County Government and will negatively impact the reputation of the county. Allowing the return of denied rezoning applications creates an appearance of nefarious behaviors.

By the authority of the El Paso Master Plan, Land Development Code, Planning Commission 6-1 vote, BoCC 3-2 resolutions 26-235 & 236, I again request this rezoning application NOT be approved.

OPPOSE

Name: Integrity Matters

Date: 10/29/2026 10:07 AM

Staff received email 10/27/2026. JM

Jessica Merriam

From: Kari Parsons
Sent: Wednesday, October 28, 2026 9:53 AM
To: PCD Hearings; Nina Dossey
Subject: FW: Comment for the record - P2611, P2612 and PUD263 - please enter in each file - Water and wastewater service is not shown

From: Meggan Herington <MegganHerington@elpasoco.com>
Sent: Wednesday, October 28, 2026 9:36 AM
To: Kari Parsons <kariparsons@elpasoco.com>
Subject: FW: Comment for the record - P2611, P2612 and PUD263 - please enter in each file - Water and wastewater service is not shown

Please include in EDARP and share with the applicant. Thanks



Meggan Herington, AICP
Executive Director
El Paso County Planning and Community Development
719-520-7941
<https://planningdevelopment.elpasoco.com>

From: Kenny Hodges <KennyHodges@elpasoco.com>
Sent: Tuesday, October 27, 2026 3:43 PM
To: Meggan Herington <MegganHerington@elpasoco.com>
Subject: FW: Comment for the record - P2611, P2612 and PUD263 - please enter in each file - Water and wastewater service is not shown

FYI

From: Integrity Matters <integritymatterscos@gmail.com>
Sent: Tuesday, October 27, 2026 3:31 PM
To: Carrie Geitner <CarrieGeitner@elpasoco.com>; Lauren Nelson <LaurenNelson@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; Cory Applegate <CoryApplegate@elpasoco.com>; Bill Wysong <BillWysong@elpasoco.com>
Cc: CARCTB <carctb@elpasoco.com>; Kenny Hodges <KennyHodges@elpasoco.com>
Subject: Comment for the record - P2611, P2612 and PUD263 - please enter in each file - Water and wastewater service is not shown

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Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Commissioners:

Clerk to the Board: please enter this comment in the record of each of P2611, P2612 and PUD263, include it in the materials for the Planning Commission hearing on November 5, 2026 and the Board of County Commissioners hearing on December 10, 2026, and confirm that it has been entered in each file. The County Attorney is copied.

Integrity Matters opposes P2611, P2612 and PUD263. The record does not show that adequate water and wastewater service exists for the homes these applications would allow.

1. The applications require central service, and their own criteria ask whether it can be provided

The P2612 Letter of Intent quotes the RM-12 standard: "Central water and wastewater services are required regardless of lot size or conforming status" (P2612 LOI p. 17). PUD criterion #9 asks whether the development "will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., ... water and sanitation)." The PUD263 Letter of Intent answers only that the Walden Corporation "has submitted a will-serve letter confirming service availability" (PUD263 LOI p. 15).

2. The commitment to serve states no capacity and comes from the applicant's own family

The Letters of Intent state that the Walden Corporation "has excess water and wastewater capacity." No document in the three files gives a capacity figure. The only commitments to serve are form letters from the Walden Corporation addressed to "Mr. Dunston," MA Infrastructure LLC, 1230 Scarsbrook Ct., and signed by Bill Dunston (August 11, 2026 for P2611 and P2612; September 11, 2026 for PUD263). They state no number of homes and no demand, and they defer water rights to subdivision. County staff's October 14 markup of the PUD263 commitment letter asks for the "number of lots" and to "account for outdoor watering."

3. The provider is a private company, not a district

The commitment letters name the provider as "Walden Water and Sanitation District." No such district exists. The State Auditor's register of Colorado local governments lists only Walden Metropolitan District Nos. 1 and 2. On September 10, 2026, in response to a written request from the state's drinking water program, the company confirmed that the system is privately owned by the Walden Corporation.

4. The wastewater plant's condition and finances are unresolved

- The plant's discharge permit (COX631032) expired January 31, 2024 and continues on administrative extension. The state received the renewal application on February 2, 2024.
- EPA's ECHO database shows "Reportable Noncompliance" for the facility in every quarter from October 2023 through June 2026. It shows the last inspection on June 6, 2012. It shows no formal enforcement, and the facility is not listed in significant noncompliance.
- On January 28, 2026, the Pikes Peak Area Council of Governments' Water Quality Management Committee was told that plant replacement is "about \$1 million short" and that "member rates will need to double to quadruple." Its recommendation was conditioned on the state verifying the company's financial capability.
- The Walden Corporation's own 2026 drinking water quality report discloses a violation open since May 2022, for redrilling two wells without the state design approval the rules require.

5. Public money paid for water and sewer mains in this private system

On October 26, 2026, Walden Metropolitan District Nos. 1 and 2 produced the following records to Integrity Matters under the Colorado Open Records Act:

- A Reimbursement Agreement dated December 1, 2014, between the Districts and Custom Castles Building Company, Inc. ("Developer"), signed for the Developer by Matthew W. Dunston.
- An engineer's cost table attached to a letter from Oliver E. Watts, PE, dated March 11, 2019, totaling \$584,930. It includes a **\$68,300 water main** and a **\$181,300 sewer main**.
- A handwritten list, forwarded by District counsel, of seven payments to Custom Castles Building Company, Inc. from 2019 through 2025, totaling **\$670,000**.

The Districts are funded by property taxes on Walden homeowners. The records show those taxes reimbursing the developer for water and sewer mains in a system operated by a private company. None of the records produced shows who owns those mains today.

Questions the applicant and staff should answer before any recommendation

1. What capacity, in taps or gallons per day, does the Walden Corporation commit to each of P2611, P2612 and PUD263, and on what engineering basis, including outdoor watering?
2. Which water rights will serve these homes, and who holds them today?
3. Can the wastewater plant serve these homes under its current permit, and how will its replacement be financed?
4. Has the state approved the redrilled wells?

5. Who holds title to the water and sewer mains that would serve these applications, including the mains the Districts reimbursed, and on what terms does a private company use them?

Until the applicant documents capacity, water supply and ownership, the record does not show that adequate water and wastewater service exists for these applications. Integrity Matters asks that P2611, P2612 and PUD263 be denied.

Thank you,

Dana Duggan
President & Co-Founder
Integrity Matters
P.O. Box 60032, Colorado Springs, CO 80960
[719-964-7421](tel:719-964-7421)

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Integrity is doing the right thing when no one is watching.



INTEGRITY MATTERS

Dear Planning and County Commissioners:

I am writing in strong opposition to P2611 and P2612. My primary concern is traffic safety.

The September traffic study included in the applications estimates approximately an increase of more than 1,200 daily trips. This is not occurring on an isolated residential street. It is occurring immediately adjacent to Monument Academy and to the current rural, single family homes within the Walden community.

The traffic study suggests residents of the surrounding Communities adjust their travel patterns as well as the even more imposing proposal that Monument Academy consider staggered start and end to school times.

Both proposals show lack of consideration to the effect this would have on current home owners traveling to work , parents of Academy students, teachers, and students participating in before and after school programs.

The traffic study identifies roadway improvements that would be necessary to improve operations, yet those improvements do not have a funded design or construction timeline.

The County should not approve a substantial increase in development intensity and defer fundamental questions underlying traffic and safety concerns before these concerns have been resolved.

Sincerely,

R.S.

OPPOSE

Name: Heidi Arbury

Date: 9/14/2026 2:06 PM

I am deeply opposed to any further rezoning of my rural neighborhood . I have lived at my present address for 35 years under the protection of RR5 zoning.. Now this developer wants to come in and ruin our rural neighborhood and lifestyle. Apparently water and traffic are no longer a concern. I lived in the black forest when we had the black forest fire, and we all had to evacuate.. increased density naturally will leave us with minimal evacuation routes. The planning commission only recently said no to basically the same project now just because it has a different number. We're supposed to believe it suddenly not multiple unit density.. Enough is enough.

OPPOSE

Name: Alicia Whitcomb

Date: 9/15/2026 7:39 PM

I very much oppose this change in zoning. This is a rural sleepy Neighborhood. Adding this mass amount of housing would change the integrity of the already established neighborhood & put strain on the systems, including water and traffic and trails. There are no parks. There is no library. There is no gas station or other structures to provide support for the large amount of families as proposed here. We moved to this neighborhood for peace and quiet away from the city. Adding all these homes would remove that. We enjoy the dark skies, the herd of deer, the fox hummingbirds, and other birds and animals live in the area. Continuing to build outside of the R5 zoning, would detrimentally change the neighborhood. Well, people can build on land that they own. It should be within the zoning as it stands and not change zoning to then change the experience for the homeowners that already have purchased to live in a sleepy space outside of Colorado Springs. Please deny and keep zoning as is.

OPPOSE

Name: Craig Euneau

Date: 9/15/2026 7:51 PM

The location will undue stress on the traffic patterns on 83 105/Walker Rd, the local elementary school is not in walking distance, there are no sidewalks available, the secondary school is public charter that is necessarily open to the potential residents of this complex. There are no public recreational areas within walking distance and no services within walking distance. Also I understand there are over 5000 open apartments in the area and I see numerous apartments under construction nearby off Powers and other locations. Please zone this for something this community can actually benefit from, not cash cow for the developers and a tax burden on the community, county and state who have foot the bill for road improvements, and other infrastructure costs associated with this project. Thank you for your time.

OPPOSE

Name: April S.

Date: 9/16/2026 10:53 AM

This request was previously denied by both Commissions. Moving the same request a few hundred feet doesnt make it any more acceptable. Please follow the previous denial and once again deny this project.

OPPOSE

Name: William Tostanoski

Date: 9/17/2026 1:44 PM

I oppose this request. The rezoning violates the El Paso county master plan. If we continue to deviate from the master plan then the Master Plan becomes worthless. And these requests only make these developers who don't live in the area richer at the expense of the local residents

OBJECTION TO MAP AMENDMENT (REZONING) REQUEST

PCD File No. P26X / MA Subdivision Tract A & B

Date: September 19, 2026

To: El Paso County Planning Commission, Board of County Commissioners, and El Paso County Planning and Community Development Department

Re: Public Comment and Opposition to the Monument Academy South Residential Rezone / Map Amendment Request for MA Subdivision Tracts A and B, located southeast of State Highway 83 and Walker Road (PCD File No. P26X / LSC #S254260)

Property Location: Southeast corner of State Highway 83 and Walker Road, including Tracts A and B of the Monument Academy South Residential Rezone area

Dear Commissioners and Planning Staff,

Please accept this letter as formal opposition to the proposed rezoning and map amendment request submitted by MA Infrastructure, LLC and Vertex Consulting Services, LLC for the Monument Academy South Residential Rezone project. The proposal would rezone land currently characterized by rural and semi-rural residential uses to allow substantially higher residential density, including RM-12 multi-family dwelling development on Tract A and high-density single-family residential development on Tract B.

The Board of County Commissioners previously denied an urban zoning request for this property on July 23, 2026, recognizing that high-density urban development is fundamentally incompatible with the surrounding rural and semi-rural residential community. Reducing or repackaging the proposal does not resolve the core land-use conflict. The current application still introduces an intensity of development that is inconsistent with the established character, fire safety, roadway capacity, school-zone conditions, and rural transition goals for the area.

Key Concerns and Objections

- **Incompatibility with Neighborhood Character:** The surrounding area, including Walden and nearby Black Forest communities, is defined by large-lot rural residential properties, RR-5 zoning, and semi-rural residential lots. Introducing RM-12 multi-family structures and substantially greater residential density would disrupt the established aesthetic, character, property value, and quiet enjoyment of adjacent homeowners.

- **Excessive Density for a Sensitive Location:** The application proposes a total of 160 dwelling units, including 131 high-density multi-family or attached units on Tract A and 29 single-family units on Tract B. This level of development is not compatible with a site located next to an established charter school, rural residential neighborhoods, inadequate fire hydrants, and at an already strained highway intersection.
- **Severe Existing Traffic Congestion and Queue Spillback:** The traffic impact study prepared by LSC Transportation Consultants, Inc. notes that during morning peak hours, westbound Walker Road queues at SH 83 regularly back up into the Jane Lundeen Drive/Walker Road roundabout, blocking the outer circulating lane and spilling onto the Jane Lundeen Drive approach. Adding an estimated 1,233 daily vehicle trips—940 from Tract A and 293 from Tract B—would further degrade traffic flow, severely impact emergency response capability, increase delays, and intensify hazards for daily commuters, inexperienced high school aged drivers, as well as children and parents traveling to Monument Academy. LSC Transportation Consultants recommends massive upgrades to the existing roadway infrastructure in the immediate vicinity as the solution to the additional traffic generated by this potential development. How will the County pay for these transportation infrastructure upgrades required to support this development? The applicant should be held responsible for funding the required upgrades since their own study identifies them as a requirement to support the request.
- **Inadequate Road Infrastructure and Requested Deviations:** The proposed access plan relies on multiple deviations from El Paso County Engineering Criteria Manual standards, including access spacing deviations along Jane Lundeen Drive and a requested deviation related to turn-lane criteria for left-turning traffic on Pinehurst Circle. The need for multiple deviations at the rezone stage indicates that the proposed density is too high for the existing roadway geometry and surrounding transportation network.
- **Pedestrian, Bicycle, and School-Zone Safety Concerns:** Jane Lundeen Drive and Pinehurst Circle serve as primary access routes for Monument Academy Charter School. The additional units and vehicle trips would increase conflicts among vehicles, *student pedestrians*, bicyclists, and school-related traffic which includes many inexperienced high school drivers. Existing bicycle facilities are absent on adjacent roadways, and sidewalk infrastructure remains inadequate, making the

cumulative multi-modal safety impact completely unacceptable.

- **Master Plan Misalignment:** Although the applicant references the “Suburban Residential” place-type, the Your El Paso Master Plan also emphasizes maintaining community character in this “**Minimal Change: Developed**” area. The proposed intensity represents an excessive change from the rural and semi-rural development pattern that surrounds the site. This request conflicts significantly with the rural transition expectations for the Black Forest and North Central area.
- **Environmental, Infrastructure, and Emergency-Service Strain:** Increased residential density at this location would place disproportionate additional burdens on regional infrastructure, emergency services, and local wildlife habitat compared with the existing RR-5 baseline and surrounding rural residential pattern. Most concerning is the fact that this development would require significant upgrades to the fire suppression resources prepositioned in the area. This request would place the Monument Fire District in an extremely difficult position in trying to protect the lives and property of residents of this high-density urban type development when the local station is configured for low density rural residential protection. Who pays for the necessary upgrades?

Insufficiency of "Substantial Change" Justification: Section 2.1.4 of the Land Development Code requires a substantial change in conditions or circumstances to resubmit a denied application. A minor adjustment in proposed zoning sub-categories (moving from RM-30/RM-12 to RM-12/RS-5000) is a surface-level revision. It fails to alter the underlying conflict: high-density housing remains unsuited for this specific rural-transition corridor.

The applicant’s revised proposal does not change the fundamental issue: this level of residential density is an improper fit for this rural and school-adjacent site. The rezoning would not only completely void the El Paso County Master Plan it would intensify traffic congestion, worsen safety conditions around Monument Academy, rely on roadway deviations rather than compliance with established criteria, and undermine the established character of nearby rural residential neighborhoods.

For these reasons, I respectfully urge the El Paso County Planning Commission and Board of County Commissioners to **DENY** the MA Subdivision Tracts A and B Map Amendment request unless and until the applicant substantially reduces the overall density to a level that complies with the El Paso County Master Plan and fully satisfies all El Paso County fire

safety, roadway, intersection, access-spacing, turn-lane, pedestrian, bicycle, and school-zone safety criteria without relying on deviations.

Respectfully,

A handwritten signature in blue ink, appearing to read "Debbie G. Hill". The signature is stylized with a large, sweeping "D" and "H".

18570 Woodhaven Dr
Colorado Springs CO 80908
(850) 625-0449

OPPOSE

Name: Ted Kriss Arbury

Date: 9/19/2026 6:45 PM

Board of County Commissioners:

I am registering my opposition to ANY higher density rezone for our community. When our family moved here in 1991, I was a baby. There was no Cherry Creek Crossing, and the night sky was dark. All the properties surrounding our 5.4 acre home were 5 acres or larger. The Black Forest Preservation Plan protected us. The Black Forest Preservation Plan was adopted in 1974 by El Paso County, Colorado, to protect the rural-residential character, natural beauty, and ecological integrity of the Black Forest region.

As I am sure you are aware, this same developer tried to rezone the same property two months ago. They need a firm, "No means no." High density is not appropriate for our rural ecosystem. We deserve protection from this insane over-development. Preserve, not exploit. We are stewards of our land. You have a grave responsibility to maintain the rural character of the Black Forest. Protect us.

Sincerely,

Ted Kriss Arbury

OPPOSE

Name: Emelia E. Martinez

Date: 9/21/2026 6:29 PM

Mom's property relies entirely on a shallow domestic well originally permitted and drilled around 1970. It's a shallow well & draws from the upper, most vulnerable layers of the Dawson/Denver aquifer system. It does not have the deep infrastructure of modern commercial wells. While the applicant states this high-density project will utilize central water via the Walden Corporation, that utility system relies heavily on centralized groundwater pumping from the exact same regional Denver Basin aquifers. Shallow domestic wells in the immediate vicinity will be the first to lose water pressure, experience pump burnout, or run completely dry.

Insufficiency of Central System Guarantees: There is a clear conflict of interest regarding the water commitment letters provided for this project; development management and the utility provider management are deeply intertwined. Adding hundreds of new high-density residents to an already stressed groundwater pocket means our well runs dry.

OPPOSE

Name: Scott Pope

Date: 9/27/2026 11:01 PM

This proposed rezoning has been voted on and rejected. It doesn't fit in with current land use for the area. Infastructure is not adequate.

OPPOSE

Name: Amy Day-Homyack

Date: 9/28/2026 4:52 PM

I strongly oppose the rezoning to fit this greedy developer's financial dreams. Absolutely no - Please save our beautiful Colorado by having developers respect and abide by zoning as this parcel is currently zoned. Thank you

OPPOSE

Name: Joseph Baginski

Date: 9/29/2026 11:00 AM

This does not match any other development in the area. Why would you allow developers to add town homes condos or apartments to an area that has only single family homes. Does not match anything in this area.

OPPOSE

Name: Catie Corbin

Date: 9/30/2026 11:32 AM

Please do not allow the rezoning of this land to be approved. People moved out to this area because they wanted space and they wanted country, not because they want 216 more units encroaching on one four corner intersection. The traffic each morning is already backed up beyond Appaloosa Road. We do not need more people or more cars in this area. We already have drivers in and out of Monument Academy all day long, some of them are new student drivers, adding more congestion to this area would be dangerous. Have them build in city limits! Please do not rezone this land and ruin the rural feel of this northern part of El Paso county

OPPOSE

Name: William Hughes

Date: 9/30/2026 10:48 AM

I oppose the rezoning from RR5 to RM12 (apartments) on the north side of property. First, the justification for denial from the previous application still apply. Second, the resubmission has not substantially changed in density. The applicant simply shifted the RM12 ask to the north side and replaced RM12 on the south side with RS5000. The difference between RM12 and RS5000 is minimal (12 units/acre vs. 8.7 units/acre).

10/01/2026

El Paso County Board of County Commissioners and Planning & Community Development

P2612 Public Comment in Opposition: MA Infrastructure RM-12 Rezoning

Commissioners,

I oppose P2612, the request to rezone 7.79 acres of MA Subdivision Tract A from RR-5 to RM-12.

RM-12 is the district this Board denied on Tract A on July 23 (P261). Vertex moved it to the north half of the same parcel and refiled 47 days later.

RM-12 allows 12 units per acre. That is 93 units on 7.79 acres, with 40-foot buildings and 70% lot coverage. RR-5 allows one home here.

Character of the area and Master Plan

The Master Plan says: "The County should maintain existing and expand the Large-Lot Residential place type in this area." Vertex's letter of intent concedes P2612 conflicts with that recommendation and calls it a "mapping oversight associated with the preparation of the Master Plan."

Resolution 26-236, denying RM-30 on these same 7.79 acres, found the request out of general conformance with the Master Plan and not compatible with existing and permitted land uses in all directions. The Planning Commission recommended that denial 6 to 1.

Swapping RM-30 for RM-12, a district you also denied on this tract, cures neither finding.

All five letters of intent Vertex has filed on these tracts this year tell you a Master Plan map is wrong. Denied in July, the developer came back in 47 days with two "independent" rezonings on one parcel, a third application next door, two engineering deviations, and the water and Tract B traffic analysis deferred until after the density is granted.

Compatibility: traffic, pedestrian safety, evacuation

The traffic study in this file assumes 131 units on Tract A, generating 940 vehicle trips a day. P2611 and P2612 together allow up to 187 units.

The westbound approach at Highway 83, Highway 105 and Walker Road operates at level of service F in the morning peak today. By 2045 the study projects the whole intersection at level of service E in all three peak hours without new lanes and signal changes.

Queues already back into the Jane Lundeen/Walker roundabout for 15 to 20 minutes in the morning peak. The study's fix for Tract A's middle access during school peaks is to force residents to turn right and U-turn through the Pinehurst roundabout.

That traffic shares Jane Lundeen Drive with Monument Academy's middle and high school campus. In a wildfire evacuation, those households and the school would use the same road at the same time.

Site suitability

The water commitment is a one-page Walden Corporation letter dated August 11, 2026, signed by Bill Dunston and addressed to Mr. Dunston at MA Infrastructure. Vertex states the "finding of water sufficiency will be required at the subdivision stage of development," after the density is already granted.

Regards,
Ron Baumert
19150 Sixpenny Ln, Monument, CO 80132
rbaumert@gmail.com

OPPOSE

Name: Ron Baumert

Date: 10/1/2026 3:51 PM

I oppose P2612. RM-12 is the district the Board denied on Tract A on 07/23/2026 (P261), and Resolution 26-236 denied RM-30 on these same 7.79 acres for nonconformance with the Master Plan and incompatibility with surrounding land uses. RM-12 allows 93 units here where RR-5 allows one. My full letter is attached. I also emailed it to the Board of County Commissioners and PCD on 10/01/2026.

OPPOSE

Name: Kimberly Holly

Date: 10/5/2026 10:02 PM

I am writing to oppose P2612. My home is approximately 1.3 miles from this property, and I have lived here for six years. I chose this area deliberately; its lower-density character was an important part of my decision to purchase my home and establish my family here.

Rezoning from RR5 to RM12 to allow approximately 93 apartment units is a significant departure from the existing development pattern. For nearby residents, the effects are real: increased traffic and congestion, particularly during school and commute hours, pressure on schools and potentially school boundaries, and greater demands on roads and public services.

I am not opposed to reasonable growth, but higher-density housing should be located where the surrounding infrastructure and community can appropriately support it. This proposal, particularly when combined with P2611 and PUD263, represents a dramatic increase in density. I respectfully request that P2612 be denied.

OPPOSE

Name: Dan Carl

Date: 10/9/2026 7:58 PM

Please vote no on this proposal! This high density housing in this rural area is totally out of character for the area. It will create a traffic nightmare and create safety problems for kids going to school in that area.

Please vote no!

OPPOSE

Name: Kris S.

Date: 10/18/2026 4:54 PM

I oppose this measure because it would overwhelm essential infrastructure ? water, sewage, transportation routes, park space as well as pose safety hazard to the students of the nearby school. Hugh density housing would pose unnecessary harms to current community residents and students.

RE: Opposition to Rezoning Application P2612 — RR-5 to RM-12 —Recommendation of Denial

Dear Members of the El Paso County Planning Commission:

I respectfully request that the Planning Commission recommend **denial of application P2612**, seeking to rezone approximately 7.79 acres at the southeast corner of Highway 83 and Walker Road from RR-5 (Residential Rural) to RM-12 (Residential Multi-Dwelling).

I have reviewed the applicant's September 9, 2026 Letter of Intent, including its arguments concerning Master Plan conformance, housing diversity, infrastructure availability, and compatibility with surrounding development and am writing this letter for the record, objective consideration and potential for future litigation.

Although the applicant has reduced the requested zoning from RM-30 to RM-12 following the Board of County Commissioners' July 23, 2026 denial, the revised application continues to seek multifamily residential zoning in an area characterized by rural and large-lot residential development.

The question is not whether multifamily housing is a legitimate component of the County's residential planning framework, but whether RM-12 zoning is appropriate for this particular location under the applicable rezoning criteria.

I. The Suburban Residential Place-type Does Not Independently Establish That RM-12 Zoning Is Appropriate

The applicant emphasizes that the subject property is designated Suburban Residential under the County's 2021 Master Plan.

The Letter of Intent correctly identifies detached single-family residential development as the primary use within that place-type and multifamily residential development as a supporting use.

However, the Master Plan also explains that supporting uses are intended to complement the primary land use and contribute to the character of the surrounding area.

The applicant argues that because detached single-family homes predominate within the surrounding area, additional multifamily development would provide a desirable variety of housing.

That reasoning does not, standing alone, establish compatibility.

The relative absence of multifamily housing within an established residential area does not necessarily demonstrate that multifamily zoning is appropriate at any particular location within that area, in fact, this the Walden area contraindicates such.

The Commission must evaluate the proposed RM-12 district under LDC § 5.3.5(B), including compatibility with existing and permitted land uses and zoning districts in all directions.

The applicant's reliance on the Suburban Residential designation and the County's general housing-diversity objectives should not displace that independent requirement.

II. The Applicant Acknowledges the Master Plan's Large-Lot Residential Recommendation

On page 11 of its Letter of Intent, the applicant quotes the Black Forest/North Central Priority Development Area recommendation directing the County to maintain and expand the Large-Lot Residential place-type in a development pattern consistent with the established character of the Black Forest community.

The applicant then argues that this designation may be a mapping inconsistency because portions of Walden and Walden Preserve contain existing residential lots smaller than the general Large-Lot Residential description.

This interpretation deserves careful examination.

Walden existed before the County adopted its 2021 Master Plan. The County therefore had the opportunity to consider the existing development pattern when establishing the surrounding place-type designations.

The presence of smaller existing lots does not, by itself, establish that the adopted Large-Lot Residential designation was erroneous.

Moreover, the applicant's own Letter of Intent acknowledges that residential development within the surrounding area is overwhelmingly detached single-family housing or farms.

That existing development pattern is relevant to the compatibility determination.

The applicant further relies on the Master Plan's flexibility, arguing that decision-makers may weigh competing policies and need not find conformity with every individual recommendation.

That proposition is not disputed. However, the Commission's discretion to weigh competing policies does not justify disregarding an expressly identified planning objective without adequate consideration.

The Commission should give meaningful weight to the Large-Lot Residential recommendation and require evidence demonstrating why RM-12 multifamily zoning is compatible with the surrounding planning framework.

The applicant's suggestion that the designation may reflect a mapping inconsistency should not substitute for an established County determination that the designation is erroneous.

III. Reducing the Requested Zoning from RM-30 to RM-12 Does Not Resolve the Fundamental Compatibility Question

The applicant previously requested RM-30 zoning, permitting a maximum density of 30 dwelling units per acre. The revised application seeks RM-12 zoning, permitting a maximum density of 12 dwelling units per acre.

Although this represents a reduction, the requested RM-12 classification remains significantly more intensive and dense than the property's existing RR-5 zoning.

For approximately 7.79 acres, the maximum density of 12 dwelling units per acre corresponds mathematically to approximately **93 dwelling units**, before accounting for applicable development standards and site constraints. This is a theoretical calculation rather than a determination of achievable development capacity.

The applicant's Letter of Intent also identifies the following RM-12 dimensional standards:

- Maximum building height of 40 feet;
- Maximum lot coverage of 70%;
- Minimum lot areas that vary by residential use, including 3,500 square feet for single-family dwellings and 7,000 square feet for two-family dwellings and certain other uses.

These standards demonstrate that the requested zoning must be evaluated in terms of more than dwelling units per acre. The Commission should consider the potential building forms, residential configurations, development intensity, and physical character authorized under RM-12.

A reduction from 30 to 12 dwelling units per acre does not independently establish that the remaining intensity/density is compatible with the surrounding rural residential environment.

The relevant comparison is not simply between the previously denied RM-30 district and the newly requested RM-12 district. It is between RM-12 and the existing and permitted land uses and zoning districts surrounding the property.

IV. The Applicant's Proposed Transition Between Residential Intensities Requires Closer Examination

The applicant characterizes the subject property as a transition area between Highway 83, Monument Academy, and established residential neighborhoods. It argues that the proposed combination of RS-5000 and RM-12 zoning would create a graduated development pattern.

However, the presence of different residential zoning classifications does not automatically create a compatible transition.

The Commission should evaluate whether the proposed RM-12 development would provide an appropriate progression in lot size, building form, scale, and intensity when considered alongside the existing rural residential surroundings.

The applicant also relies on the Master Plan's policy encouraging attached housing to facilitate transitions between areas of differing development intensity.

That policy is relevant, but it does not establish that every multifamily zoning district constitutes an appropriate transition. The proposed zoning must still be evaluated in its particular geographic context.

Moreover, the applicant's assertion that RM-12 represents an appropriate transitional density should be supported by evidence concerning the actual development potential of the property and its relationship to adjoining existing and permitted uses.

The Commission should not equate the applicant's description of a transitional development pattern with a demonstrated finding of compatibility.

V. Roadway Improvements and Utility Availability Do Not Independently Establish Compatibility

The applicant erroneously emphasizes that the surrounding roadways were constructed to urban standards and that centralized water and wastewater infrastructure is available.

According to the Letter of Intent, the roadway improvements were required in connection with the Monument Academy development agreement and were based in part on earlier assumptions that nearby property could accommodate more intensive retail and office development. However, the applicant acknowledges that the property remained zoned RR-5 when those improvements were required. This distinction is significant.

Roadway capacity and centralized utility service may support a finding that certain development is physically feasible. They do not, standing alone, establish that RM-12 multifamily zoning is compatible with the surrounding land-use framework.

Similarly, the availability of water and wastewater infrastructure does not resolve questions concerning residential density, building scale, neighborhood character, or the relationship between permitted land uses.

The applicant also states that a project-specific Water Resources Report was not required at rezoning and that a water-sufficiency determination would occur at the subdivision stage. Accordingly, the applicant's reliance on regional water-supply projections should not be treated as a completed project-specific determination of water sufficiency. Especially when there are still concerns and questions as to whether the current water/wastewater sewage infrastructure can even sustain the dwellings and homes it currently services.

VI. Physical Buffers and Future Site Design Do Not Eliminate the Need for a Compatibility Determination

The applicant identifies Highway 83, Walker Road, Monument Academy, and the adjacent wastewater treatment facility as features that separate the proposed development from surrounding residential properties.

The Letter of Intent erroneously states that the school and wastewater facility provide approximately 1,270 feet of separation from existing Walden homes and that the property's topography limits visibility from residences to the east. Albeit, these are relevant considerations, but should be evaluated objectively and accurately.

However, the County's compatibility analysis is not limited to whether a proposed development can be seen from existing homes. LDC § 5.3.5(B) requires consideration of existing and permitted land uses and zoning districts in all directions. Physical separation may mitigate certain visual, noise, or operational impacts, but it does not independently resolve questions regarding the appropriateness of RM-12 zoning.

The applicant also suggests that setbacks, landscaping, and buffering can be incorporated during later development review. Although such measures may be beneficial, their potential future implementation should not replace the Commission's present obligation to evaluate whether the requested rezoning district is appropriate.

The Commission should determine whether RM-12 is compatible based on the evidence presently before it, including the full range of uses and development intensity the requested zoning would authorize.

VII. The Revised Application Must Address the Concerns Underlying the BOCC's July 2026 Denial

The applicant's Letter of Intent acknowledges that the BOCC denied the previous RM-30 application on July 23, 2026, following public testimony concerning the urban nature of the requested zoning compared with the more rural character of surrounding development.

The applicant now seeks RM-12 zoning and argues that the reduction in maximum density constitutes a material change sufficient to satisfy LDC § 2.1.4. However, the resubmittal standard and the substantive rezoning criteria address different questions.

Even assuming that the revised application is sufficiently different to permit resubmittal, the Commission must independently determine whether the proposed RM-12 district satisfies the applicable approval criteria.

The location has not changed. The surrounding land-use designations have not changed. The established neighborhood development pattern has not changed.

Although the proposed maximum density has been reduced, the applicant continues to seek multifamily zoning at an intensity substantially greater than the existing RR-5 district.

The Commission should require evidence demonstrating how RM-12 resolves the underlying concerns regarding urban residential intensity and compatibility with the surrounding rural development pattern, rather than treating the reduction from RM-30 as sufficient by itself.

VIII. Colorado Supreme Court Precedent Supports the County's Authority to Deny Rezoning Where Compatibility and Site Suitability Are Not Adequately Demonstrated

Colorado Supreme Court precedent establishes that county commissioners are not obligated to approve rezoning merely because a proposed development offers potential benefits, incorporates buffering measures, or represents a reduction in intensity from an earlier proposal. The County retains authority to deny rezoning when its decision is supported by competent evidence and applicable land-use standards.

In *Ford Leasing Development Co. v. Board of County Commissioners*, 186 Colo. 418, 528 P.2d 237 (1974), the Colorado Supreme Court upheld the denial of a rezoning application proposing a combination of commercial and medium to high-density residential development.

The applicant in *Ford Leasing* proposed townhouses as a transitional buffer between commercial development and surrounding properties, together with landscaping intended to improve compatibility. Despite those design accommodations, the county concluded that the development was incompatible with surrounding land uses.

The Supreme Court affirmed the denial, holding that the compatibility question was fairly debatable and that competent evidence supported the county's decision. The Court declined to substitute its judgment for that of the local zoning authority.

The relevance to P2612 is particularly significant: the existence of transitional residential uses, physical buffers, and proposed mitigation measures does not establish compatibility as a matter of law.

Here, the applicant relies on the proposed transition from RM-12 to RS-5000, existing roadway infrastructure, Monument Academy, topographical separation, and future site-design measures to justify multifamily zoning.

However, these considerations must be evaluated against the existing rural and large-lot residential development pattern, the building forms and densities permitted under RM-12, documented roadway deficiencies, and unresolved questions concerning water and wastewater infrastructure capacity.

As *Ford Leasing* illustrates, the County may determine that such considerations do not adequately overcome incompatibility concerns, provided its determination is supported by competent evidence and the governing approval standards.

In *Board of County Commissioners v. Conder*, 927 P.2d 1339 (Colo. 1996), the Colorado Supreme Court recognized that counties may require compliance with master-plan provisions when those requirements are incorporated into adopted land-use regulations and are sufficiently definite to satisfy due-process requirements.

Although *Conder* concerned subdivision approval, its reasoning reinforces the legal significance of El Paso County's express incorporation of general Master Plan conformance into the rezoning criteria under LDC § 5.3.5(B).

Accordingly, the applicant's reliance on the Suburban Residential place-type and general housing-diversity policies does not eliminate the need to consider the Master Plan's Large-Lot Residential objectives and the established character of surrounding development.

Importantly, neither decision requires the County to necessarily reject every proposal that differs from existing development. Rather, both underscore the importance of objectively and fairly applying the governing standards to the evidence concerning the particular property.

The legal issue is not whether RM-12 is preferable to the previously denied RM-30 classification. It is whether the applicant has demonstrated that RM-12 independently satisfies the County's adopted rezoning criteria.

The applicant's reduction in proposed density, standing alone, does not resolve the questions of compatibility, infrastructure adequacy, or site suitability. Nor does the existence of roads and utility connections establish that the surrounding systems can accommodate the additional development intensity.

Where the record does not support the required findings of Master Plan conformance, compatibility with surrounding existing and permitted land uses, and site suitability, the Commission has an objectively legally supportable basis to recommend denial.

For these reasons, the Commission should exercise its independent judgment under LDC § 5.3.5(B) and recommend denial of P2612 unless the evidence establishes that the requested multifamily zoning satisfies the applicable approval criteria.

IX. Conclusion and Request for Recommendation of Denial

The applicant has identified considerations supporting residential development, including the property's Suburban Residential place-type, its location within a Priority Development Area, access to Highway 83, and available infrastructure.

However, these considerations must be evaluated alongside the County's Large-Lot Residential planning framework, the established surrounding residential character, and the development intensity authorized under RM-12.

The applicant's Letter of Intent does not, adequately demonstrate that reducing the requested zoning from RM-30 to RM-12 resolves the fundamental compatibility concerns identified during

the prior proceedings. The County's approval criteria require a determination that the requested zoning is appropriate for this location—not merely that it is less intensive than the application previously denied.

For these reasons, I respectfully request that the El Paso County Planning Commission recommend denial of P2612, with findings addressing Master Plan conformance, compatibility with existing and permitted land uses and zoning districts in all directions, and site suitability under LDC § 5.3.5(B).

Respectfully,

/s/ Katherine King-Walker
Katherine King-Walker, Esq., BSN
El Paso County and Walden Resident

OPPOSE

Name: Kyle DeRoche

Date: 10/23/2026 9:38 PM

This is terrible for the community! People like monument because of its rural and secluded communities that are still close to town. This will ruin the small town feel as well as created unmanageable traffic back ups near monument academy. Not to mention extra back ups on highway 83 and increased risk of wildfire evacuation, making it harder for residents to leave in a timely matter if needed

OPPOSE

Name: Nicholas Guagenti

Date: 10/23/2026 9:55 PM

Keep 83 undeveloped. Go build somewhere else.

OPPOSE

Name: Ryder Horrell

Date: 10/23/2026 9:42 PM

Nah

OPPOSE

Name: Julia Pickett

Date: 10/24/2026 7:31 AM

Our local schools are already overcrowded in this area and efforts to increase funding through ballot measures over the last 10 years have not proven successful leading to degraded educational experiences for our children.

This proposal would worsen our children's education and worsen the already overcrowded schools.

We bought our home in this area because of how it was zoned wanting a more country feel lifestyle. There are so so few remaining rural feeling areas like this in the greater Colorado Springs/Monument area.

We so so hope you will help us preserve the rural feeling of this community and our home / land.

Thank you

OPPOSE

Name: Kevin T.

Date: 10/26/2026 6:19 PM

Dear El Paso County Commissioners,
Please do not approve this zoning change. It increases the allowable density and that is supported by the neighbors.

OPPOSE

Name: Stephanie Colgate

Date: 10/27/2026 8:46 PM

I oppose the proposed rezoning from RR-5 to RM-12 due to increased traffic, emergency evacuation risks, and inadequate stormwater retention pond maintenance.

This development would add traffic to an already poorly rated intersection, increasing congestion and safety concerns, particularly during an emergency evacuation like the one our community experienced in 2013.

Existing water retention ponds already appear inadequately maintained, with residents regularly contacting Walden Corporation to report foul odors and maintenance issues. This raises concerns about proper inspection and servicing, as well as the impact of additional development on these facilities.

I strongly urge the county to deny P2612 until these infrastructure and safety concerns are fully addressed. Our community should not bear additional risks when existing conditions are already inadequate. Public safety, responsible planning, and residents' well-being must take priority over increased development.

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2611
MA SUBDIVISION TRACT A REZONE TO RS-5000

WHEREAS, MA Infrastructure, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property in the unincorporated area of El Paso County as described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by this Commission on November 5, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;

All exhibits were received into evidence;

4. That changing conditions clearly require amendment to the Zoning Resolutions;
5. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code (as amended), as follows:

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the petition of MA Infrastructure, LLC., for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district meets the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code and be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RS-5000 (Residential Suburban) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

_____ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Blaine Brew	aye / no / non-voting / recused / absent
Michael Brewer	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / absent
Mae Emrick	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpeiz	aye / no / non-voting / recused / absent
Timothy Trowbridge	aye / no / non-voting / recused / absent

Christopher Whitney
Jason Wulf

aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of ____ to ____ by the El Paso County Planning Commission,
State of Colorado.

DONE THIS 5th day of November 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

PROPERTY DESCRIPTION

That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying south of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado, additionally described as follows;

Beginning at a point on westerly line of said Tract A on the southerly line of the AT&T Parcel as described in Book 2086 at Page 528 in said official records;

THENCE the following two (2) courses coincident with said southerly line, and the easterly line of said AT&T Parcel:

- 1) S86°46'06"E a distance of 146.40 feet;
- 2) N03°04'22"E, non-tangent with the following described curve, a distance of 15.00 feet to the centerline of said access easement;

THENCE the following four (4) courses coincident with said centerline:

- 1) Along the arc of a curve to the right, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of S74°17'59"E a distance of 37.16 feet, and an arc distance of 37.47 feet;
- 2) S61°40'19"E, tangent with the last and following described curves, a distance of 186.84 feet;
- 3) Along the arc of a curve to the left having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of S73°13'18"E a distance of 30.03 feet, and an arc distance of 30.24 feet;
- 4) S84°46'17"E, tangent with the last described curve and non-tangent with the following described curve, a distance of 29.53 feet, to the easterly line of said Tract A;

THENCE the following seven (7) courses coincident with said easterly line, the southerly line, and said westerly line of said Tract A:

- 1) Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 23°32'27", a chord bearing of S03°28'29"W, a distance of 628.29 feet; and an arc distance of 632.73 feet;
- 2) S08°17'25"E, tangent with the last and following described curves, a distance of 41.69 feet;
- 3) Along the arc of a curve to the right having a radius of 45.00 feet, a central angle 71°25'40", a chord bearing of S27°25'25"W a distance of 52.54 feet, and an arc distance of 56.10 feet;
- 4) S63°08'15"W, tangent with the last and following described curves, a distance of 84.73 feet;
- 5) Along the arc of a curve to the right having a radius of 275.00 feet, a central angle of 38°58'41", a chord bearing of S82°37'36"W a distance of 183.49 feet, and an arc distance of 187.08 feet;
- 6) Along the arc of a reverse curve to the left having a radius of 217.83 feet, a central angle of 38°36'38", a chord bearing of S82°48'38"W a distance of 144.03 feet, and an arc distance of 146.79 feet;

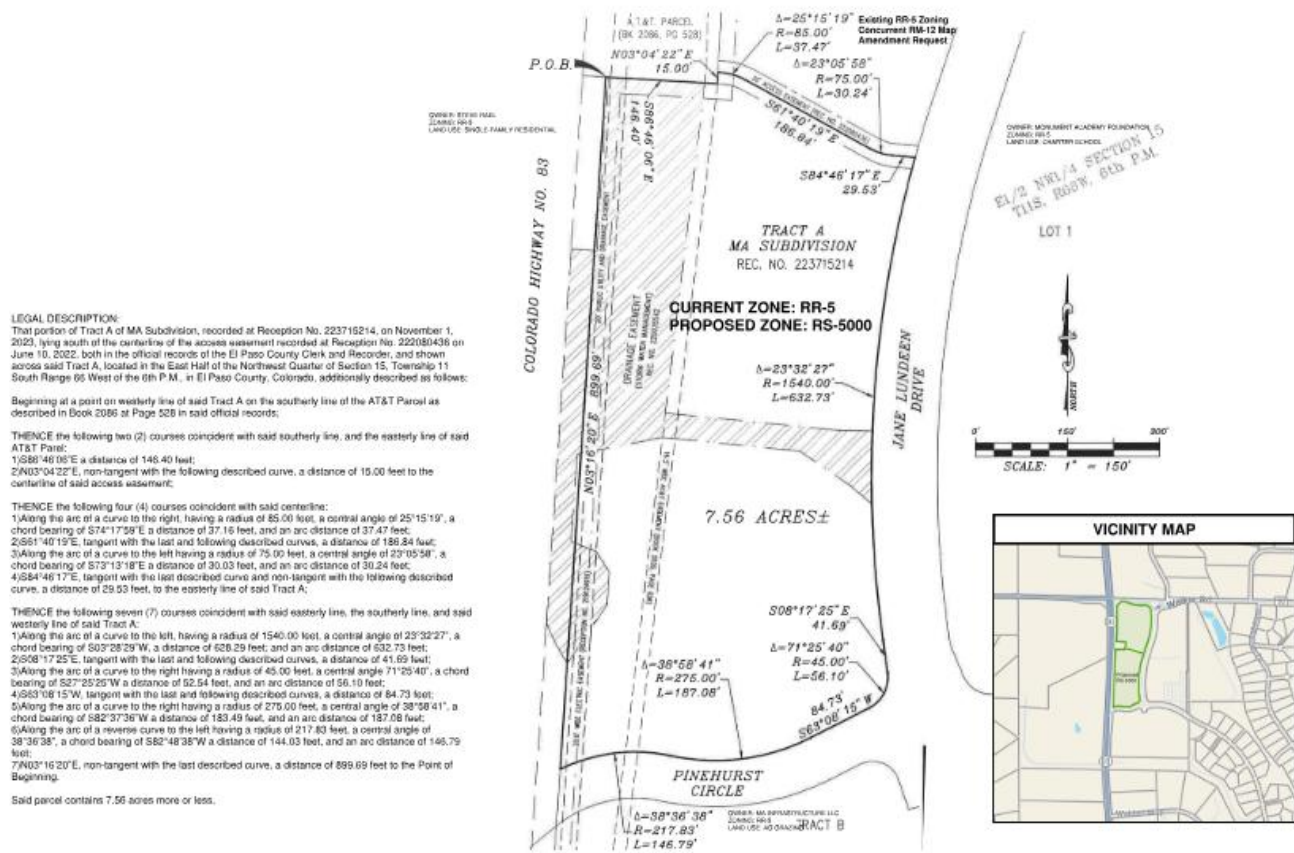
7) N03°16'20"E, non-tangent with the last described curve, a distance of 899.69 feet to the Point of Beginning.

Said parcel contains 7.56 acres more or less.

EXHIBIT B

MA Subdivision Tract A RS-5000 Map Amendment

A Portion of the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado



MAP AMENDMENT (REZONING) (RECOMMEND DENIAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2611

MA SUBDIVISION TRACT A REZONE TO RS-5000

WHEREAS, MA Infrastructure, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property in the unincorporated area of El Paso County as described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by this Commission on November 5, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

- ☐ 1. The application was not properly submitted for consideration by the Planning Commission.
- ☐ 2. Proper posting, publication, and public notice were not provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
- ☐ 3. The hearings before the Planning Commission and the Board of County Commissioners were not extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
- ☐ 4. All exhibits were not received into evidence.

- ☐ 5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
- ☐ 6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have not been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
- ☐ 7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is not in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request does not meet the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code (as amended), as follows:

- ☐ 1. The application is not in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
- ☐ 2. The rezoning is not in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;
- ☐ 3. The proposed land use or zone district is not compatible with the existing and permitted land uses and zone districts in all directions; and
- ☐ 4. The site is not suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of MA Infrastructure, LLC for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district be denied by the Board of County Commissioners.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

_____ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Blaine Brew	aye / no / non-voting / recused / absent
Michael Brewer	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / absent
Mae Emrick	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpeiz	aye / no / non-voting / recused / absent
Timothy Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent
Jason Wulf	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of ____ to ____ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 5th day of November 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

PROPERTY DESCRIPTION

That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying south of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado, additionally described as follows;

Beginning at a point on westerly line of said Tract A on the southerly line of the AT&T Parcel as described in Book 2086 at Page 528 in said official records;

THENCE the following two (2) courses coincident with said southerly line, and the easterly line of said AT&T Parcel:

- 1) S86°46'06"E a distance of 146.40 feet;
- 2) N03°04'22"E, non-tangent with the following described curve, a distance of 15.00 feet to the centerline of said access easement;

THENCE the following four (4) courses coincident with said centerline:

- 1) Along the arc of a curve to the right, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of S74°17'59"E a distance of 37.16 feet, and an arc distance of 37.47 feet;
- 2) S61°40'19"E, tangent with the last and following described curves, a distance of 186.84 feet;
- 3) Along the arc of a curve to the left having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of S73°13'18"E a distance of 30.03 feet, and an arc distance of 30.24 feet;
- 4) S84°46'17"E, tangent with the last described curve and non-tangent with the following described curve, a distance of 29.53 feet, to the easterly line of said Tract A;

THENCE the following seven (7) courses coincident with said easterly line, the southerly line, and said westerly line of said Tract A:

- 1) Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 23°32'27", a chord bearing of S03°28'29"W, a distance of 628.29 feet; and an arc distance of 632.73 feet;
- 2) S08°17'25"E, tangent with the last and following described curves, a distance of 41.69 feet;
- 3) Along the arc of a curve to the right having a radius of 45.00 feet, a central angle 71°25'40", a chord bearing of S27°25'25"W a distance of 52.54 feet, and an arc distance of 56.10 feet;
- 4) S63°08'15"W, tangent with the last and following described curves, a distance of 84.73 feet;
- 5) Along the arc of a curve to the right having a radius of 275.00 feet, a central angle of 38°58'41", a chord bearing of S82°37'36"W a distance of 183.49 feet, and an arc distance of 187.08 feet;
- 6) Along the arc of a reverse curve to the left having a radius of 217.83 feet, a central angle of 38°36'38", a chord bearing of S82°48'38"W a distance of 144.03 feet, and an arc distance of 146.79 feet;

7) N03°16'20"E, non-tangent with the last described curve, a distance of 899.69 feet to the Point of Beginning.

Said parcel contains 7.56 acres more or less.

EXHIBIT B

MA Subdivision Tract A RS-5000 Map Amendment

A Portion of the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado

LEGAL DESCRIPTION:

That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying south of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West of the 6th P.M., in El Paso County, Colorado, additionally described as follows:

Beginning at a point on westerly line of said Tract A on the southerly line of the AT&T Parcel as described in Book 2386 at Page 528 in said official records;

THENCE the following two (2) courses coincident with said southerly line, and the easterly line of said AT&T Parcel:

- 1/S88°46'08"E a distance of 148.40 feet;
- 2/N03°04'22"E, non-tangent with the following described curve, a distance of 15.00 feet to the centerline of said access easement;

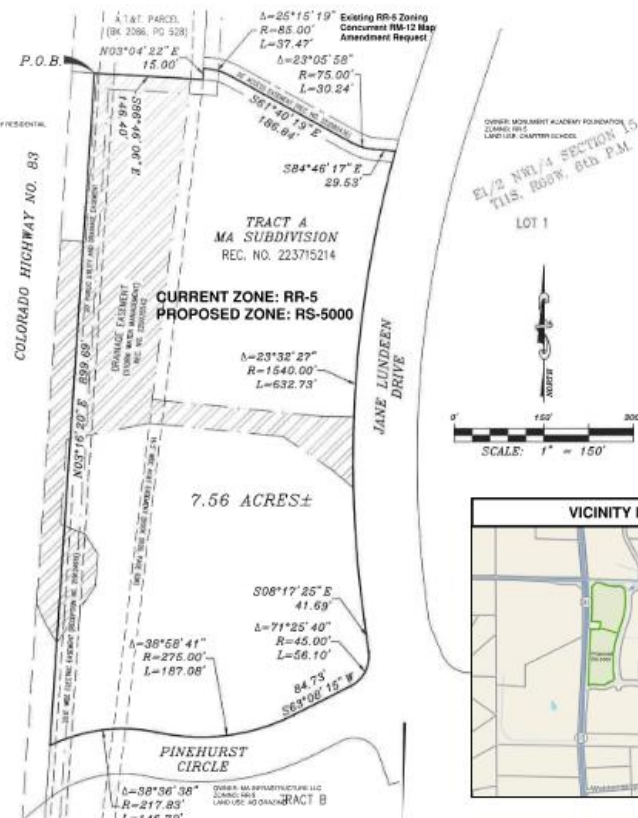
THENCE the following four (4) courses coincident with said centerline:

- 1/Along the arc of a curve to the right, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of S74°11'59"E a distance of 37.16 feet, and an arc distance of 37.47 feet;
- 2/S61°40'19"E, tangent with the last and following described curves, a distance of 186.84 feet;
- 3/Along the arc of a curve to the left having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of S73°13'18"E a distance of 30.03 feet, and an arc distance of 30.24 feet;
- 4/S84°46'17"E, tangent with the last described curve and non-tangent with the following described curve, a distance of 29.53 feet, to the easterly line of said Tract A;

THENCE the following seven (7) courses coincident with said easterly line, the southerly line, and said westerly line of said Tract A:

- 1/Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 23°32'27", a chord bearing of S03°28'29"W, a distance of 628.29 feet, and an arc distance of 532.73 feet;
- 2/S08°17'25"E, tangent with the last and following described curves, a distance of 41.69 feet;
- 3/Along the arc of a curve to the right having a radius of 45.00 feet, a central angle 71°25'40", a chord bearing of S27°25'25"W a distance of 52.54 feet, and an arc distance of 56.10 feet;
- 4/S63°08'15"W, tangent with the last and following described curves, a distance of 84.79 feet;
- 5/Along the arc of a curve to the right having a radius of 275.00 feet, a central angle of 38°58'41", a chord bearing of S82°37'36"W a distance of 183.49 feet, and an arc distance of 187.08 feet;
- 6/Along the arc of a reverse curve to the left having a radius of 217.83 feet, a central angle of 38°36'38", a chord bearing of S82°48'38"W a distance of 144.03 feet, and an arc distance of 146.79 feet;
- 7/N03°16'20"E, non-tangent with the last described curve, a distance of 899.69 feet to the Point of Beginning.

Said parcel contains 7.56 acres more or less.



MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2612
MA SUBDIVISION TRACT A REZONE TO RM-12

WHEREAS, MA Infrastructure, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property in the unincorporated area of El Paso County as described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RM-12 (Residential, Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by this Commission on November 5, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;

All exhibits were received into evidence;

4. That changing conditions clearly require amendment to the Zoning Resolutions;
5. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code (as amended), as follows:

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the petition of MA Infrastructure, LLC., for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RM-12 (Residential, Multi-Dwelling) zoning district meets the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code and be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-12 (Residential Multi-Dwelling) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

_____ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Blaine Brew	aye / no / non-voting / recused / absent
Michael Brewer	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / absent
Mae Emrick	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Timothy Trowbridge	aye / no / non-voting / recused / absent

Christopher Whitney
Jason Wulf

aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of ____ to ____ by the El Paso County Planning Commission,
State of Colorado.

DONE THIS 5th day of November 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

PROPERTY DESCRIPTION

That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying north of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and

Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West

of the 6th P.M., in El Paso County, Colorado, additionally described as follows;

Beginning at a point on westerly line of said Tract A on the northerly line of the AT&T Parcel as described in Book 2086 at Page 528 in said official records;

THENCE the following eleven (11) courses coincident with said westerly line, and the northerly and easterly lines of said Tract A:

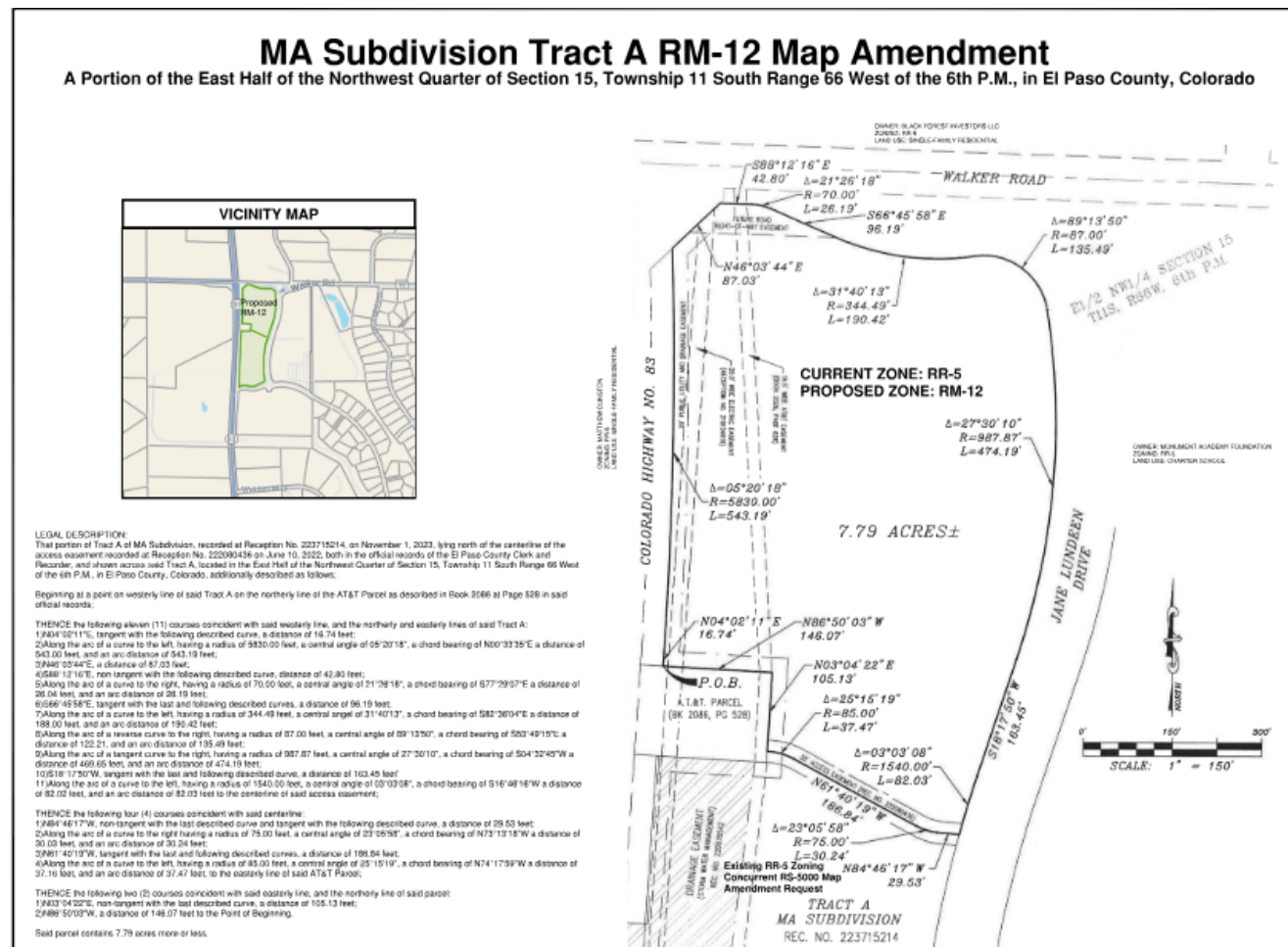
- 1)N04°02'11"E, tangent with the following described curve, a distance of 16.74 feet;
- 2)Along the arc of a curve to the left, having a radius of 5830.00 feet, a central angle of 05°20'18", a chord bearing of N00°33'35"E a distance of 543.00 feet, and an arc distance of 543.19 feet;
- 3)N46°03'44"E, a distance of 87.03 feet;
- 4)S88°12'16"E, non-tangent with the following described curve, distance of 42.80 feet;
- 5)Along the arc of a curve to the right, having a radius of 70.00 feet, a central angle of 21°26'18", a chord bearing of S77°29'07"E a distance of 26.04 feet, and an arc distance of 26.19 feet;
- 6)S66°45'58"E, tangent with the last and following described curves, a distance of 96.19 feet;
- 7)Along the arc of a curve to the left, having a radius of 344.49 feet, a central angel of 31°40'13", a chord bearing of S82°36'04"E a distance of 188.00 feet, and an arc distance of 190.42 feet;
- 8)Along the arc of a reverse curve to the right, having a radius of 87.00 feet, a central angle of 89°13'50", a chord bearing of S53°49'15"E a distance of 122.21, and an arc distance of 135.49 feet;
- 9)Along the arc of a tangent curve to the right, having a radius of 987.87 feet, a central angle of 27°30'10", a chord bearing of S04°32'45"W a distance of 469.65 feet, and an arc distance of 474.19 feet;
- 10)S18°17'50"W, tangent with the last and following described curve, a distance of 163.45 feet'
- 11)Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 03°03'08", a chord bearing of S16°46'16"W a distance of 82.02 feet, and an arc distance of 82.03 feet to the centerline of said access easement;

THENCE the following four (4) courses coincident with said centerline:

- 1)N84°46'17"W, non-tangent with the last described curve and tangent with the following described curve, a distance of 29.53 feet;
- 2)Along the arc of a curve to the right having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of N73°13'18"W a distance of 30.03 feet, and an arc distance of 30.24 feet;

3)N61°40'19"W, tangent with the last and following described curves, a distance of 186.84 feet;
 4)Along the arc of a curve to the left, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of N74°17'59"W a distance of 37.16 feet, and an arc distance of 37.47 feet, to the easterly line of said AT&T Parcel;
 THENCE the following two (2) courses coincident with said easterly line, and the northerly line of said parcel:
 1)N03°04'22"E, non-tangent with the last described curve, a distance of 105.13 feet;
 2)N86°50'03"W, a distance of 146.07 feet to the Point of Beginning.
 Said parcel contains 7.79 acres more or less.

EXHIBIT B



MAP AMENDMENT (REZONING) (RECOMMEND DENIAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2612
MA SUBDIVISION TRACT A REZONE TO RM-12

WHEREAS, MA Infrastructure, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property in the unincorporated area of El Paso County as described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RM-12 (Residential, Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by this Commission on November 5, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

- ☐ 1. The application was not properly submitted for consideration by the Planning Commission.
- ☐ 2. Proper posting, publication, and public notice were not provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
- ☐ 3. The hearings before the Planning Commission and the Board of County Commissioners were not extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
- ☐ 4. All exhibits were not received into evidence.

- ☐ 5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
- ☐ 6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have not been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
- ☐ 7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is not in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request does not meet the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code (as amended), as follows:

- ☐ 1. The application is not in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
- ☐ 2. The rezoning is not in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;
- ☐ 3. The proposed land use or zone district is not compatible with the existing and permitted land uses and zone districts in all directions; and
- ☐ 4. The site is not suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of MA Infrastructure, LLC for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RM-12 (Residential, Multi-Dwelling) zoning district be denied by the Board of County Commissioners.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

_____ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Blaine Brew	aye / no / non-voting / recused / absent
Michael Brewer	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / absent
Mae Emrick	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpeiz	aye / no / non-voting / recused / absent
Timothy Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent
Jason Wulf	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of ____ to ____ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 5th day of November 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

PROPERTY DESCRIPTION

That portion of Tract A of MA Subdivision, recorded at Reception No. 223715214, on November 1, 2023, lying north of the centerline of the access easement recorded at Reception No. 222080436 on June 10, 2022, both in the official records of the El Paso County Clerk and

Recorder, and shown across said Tract A, located in the East Half of the Northwest Quarter of Section 15, Township 11 South Range 66 West

of the 6th P.M., in El Paso County, Colorado, additionally described as follows;

Beginning at a point on westerly line of said Tract A on the northerly line of the AT&T Parcel as described in Book 2086 at Page 528 in said official records;

THENCE the following eleven (11) courses coincident with said westerly line, and the northerly and easterly lines of said Tract A:

- 1)N04°02'11"E, tangent with the following described curve, a distance of 16.74 feet;
 - 2)Along the arc of a curve to the left, having a radius of 5830.00 feet, a central angle of 05°20'18", a chord bearing of N00°33'35"E a distance of 543.00 feet, and an arc distance of 543.19 feet;
 - 3)N46°03'44"E, a distance of 87.03 feet;
 - 4)S88°12'16"E, non-tangent with the following described curve, distance of 42.80 feet;
 - 5)Along the arc of a curve to the right, having a radius of 70.00 feet, a central angle of 21°26'18", a chord bearing of S77°29'07"E a distance of 26.04 feet, and an arc distance of 26.19 feet;
 - 6)S66°45'58"E, tangent with the last and following described curves, a distance of 96.19 feet;
 - 7)Along the arc of a curve to the left, having a radius of 344.49 feet, a central angel of 31°40'13", a chord bearing of S82°36'04"E a distance of 188.00 feet, and an arc distance of 190.42 feet;
 - 8)Along the arc of a reverse curve to the right, having a radius of 87.00 feet, a central angle of 89°13'50", a chord bearing of S53°49'15"E a distance of 122.21, and an arc distance of 135.49 feet;
 - 9)Along the arc of a tangent curve to the right, having a radius of 987.87 feet, a central angle of 27°30'10", a chord bearing of S04°32'45"W a distance of 469.65 feet, and an arc distance of 474.19 feet;
 - 10)S18°17'50"W, tangent with the last and following described curve, a distance of 163.45 feet'
 - 11)Along the arc of a curve to the left, having a radius of 1540.00 feet, a central angle of 03°03'08", a chord bearing of S16°46'16"W a distance of 82.02 feet, and an arc distance of 82.03 feet to the centerline of said access easement;
- THENCE the following four (4) courses coincident with said centerline:
- 1)N84°46'17"W, non-tangent with the last described curve and tangent with the following described curve, a distance of 29.53 feet;
 - 2)Along the arc of a curve to the right having a radius of 75.00 feet, a central angle of 23°05'58", a chord bearing of N73°13'18"W a distance of 30.03 feet, and an arc distance of 30.24 feet;

- 3)N61°40'19"W, tangent with the last and following described curves, a distance of 186.84 feet;
 4)Along the arc of a curve to the left, having a radius of 85.00 feet, a central angle of 25°15'19", a chord bearing of N74°17'59"W a distance of 37.16 feet, and an arc distance of 37.47 feet, to the easterly line of said AT&T Parcel;
 THENCE the following two (2) courses coincident with said easterly line, and the northerly line of said parcel:
 1)N03°04'22"E, non-tangent with the last described curve, a distance of 105.13 feet;
 2)N86°50'03"W, a distance of 146.07 feet to the Point of Beginning.
 Said parcel contains 7.79 acres more or less.

EXHIBIT B

