

**Walden Preserve 2- Filing 5 Amendment and Filing 6
Letter of Intent**

MA Infrastructure LLC
1230 Scarsbrook Ct
Monument, CO 80132

Owners:

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Walden Holdings I LLC
1230 Scarsbrook Ct
Colorado Springs, CO 80132

Randall Dunston
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Colorado Springs, CO 80908

Planner:

Vertex Consulting Services, LLC
5825 Delmonico Drive
Colorado Springs, CO 80919
719-433-2018
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Tax Schedule No:

6115010031, 6115010030, 6115009031, 6115010029, 6115010024, 6115010025

Acreage:

37.62 Acres

Current Zoning:

RR-5 (Residential Rural)/PUD (Planned Unit Development)

Requested Zoning:

PUD (Planned Unit Development)

REQUEST:

Vertex Consulting Services, LLC, on behalf of the ownership, is respectfully submitting an application for approval of an amendment of portions of the Walden Preserve 2- Filing 5 and a request to rezone a parcel from RR-5 (Rural Residential) to the Walden Preserve 2 Planned Unit Development. The Planned Unit Development depicts a total of 29 lots of a minimum of 0.5 acres in size with a gross density of 1.76 dwelling units per acre. The PUD includes a minor realignment of the regional trail as well as the dedication of additional open space.

UTILITIES:

The Walden Corporation provides water and wastewater service to the area and have provided commitment to serve any new homes within the subdivision. Mountain View Electric Association (MVEA) provides electric service and Black Hills Energy provides natural gas service to the area and have provided commitment to serve any new homes within the subdivision.

BACKGROUND:

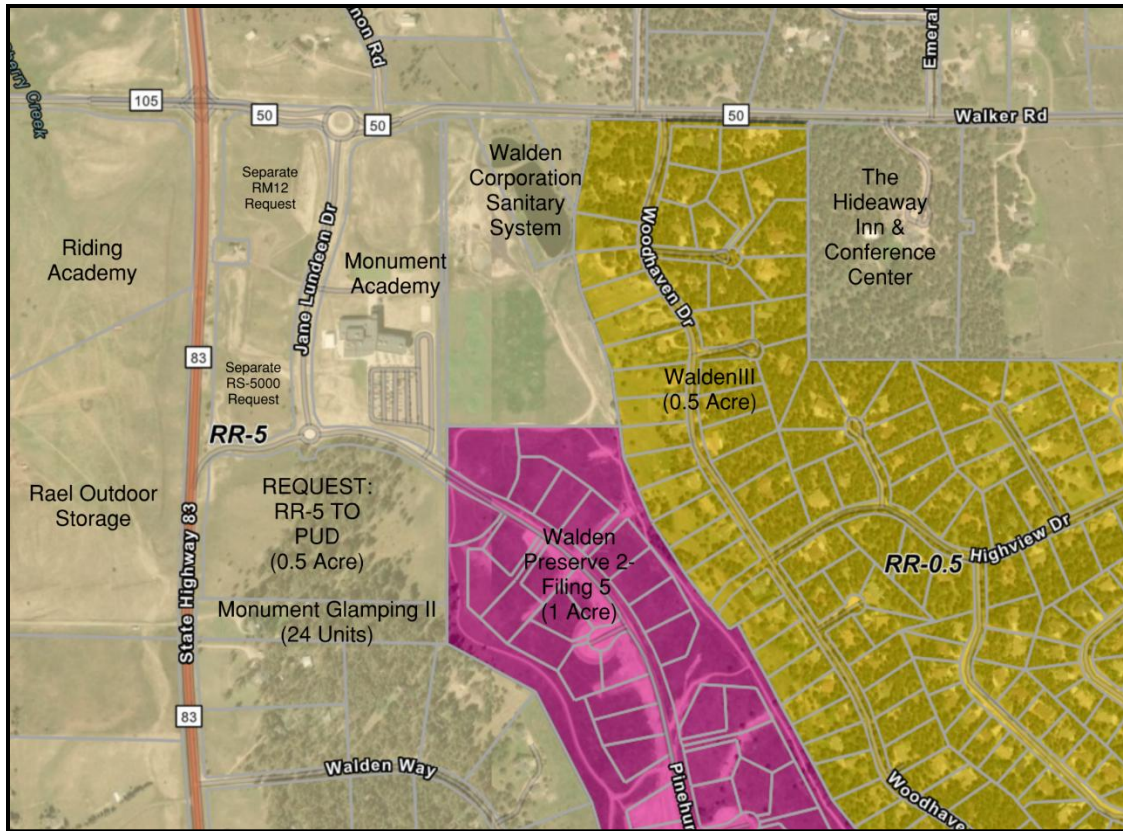
The Walden Preserve PUD was approved by the Board of County Commissioners on February 11, 2014. The Walden Preserve was an amendment to the existing Walden Development, which required a minimum lot size of 2.5 acre, to allow for 1-acre lots served by central water and wastewater.

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 primary subject of this rezoning request is Tract B of the MA Subdivision.

LAND USE COMPATIBILITY & TRANSITION:

In the context of the surrounding zonings, the site is in proximity to various lot sizes ranging from 35+ acres to 0.5 acres in size. The site is also in the vicinity to several residential and non-residential land uses.



The subject property is currently zoned RR-5 (Residential Rural) and is located west of the established Walden residential community near Highway 83 in northern El Paso County. The surrounding area reflects a transition from rural acreage development to low-density suburban residential neighborhoods. Adjacent to the east and northeast is Walden III, which consists of approximately 0.5-acre residential lots, while Walden Preserve 2 Filing 5 to the southeast contains lots averaging approximately one acre. To the west are a variety of institutional and rural uses, including Monument Academy, a riding academy, outdoor storage, and undeveloped land. The property also benefits from access to existing paved urban road infrastructure and proximity to the Walden Corporation Water and Sanitary System.

The El Paso County Land Development Code defines Rural Residential Development as “Land development and uses which are characterized by predominantly residential lots or parcels ranging from 2.5 to 10.0 acres in area. The areas are typically provided with a less-than-urban level of services (i.e. individual wells and septic systems, some unpaved roads) and allowing for only a limited amount of supporting commercial, office or industrial development. Designation in the rural residential category does not automatically imply the acceptability of lots as small as 2.5 acres” (Section 1.15 of LDC). Urban Density Development is defined as “Land development of higher density and intensity which is characteristically provided with services of an urban nature (i.e. central water and sewer, fire hydrants, paved roads often with curb and gutter, and shorter emergency service response times). This category of development ordinarily includes most commercial, office and industrial uses and residential uses with densities of more than 1 dwelling unit per 2.5 acres” (Section 1.15 of LDC). In contrast to Rural Development, Urban

Density Development is characterized by higher-density development served by urban-level infrastructure, including central water and sewer systems, paved roads, and other public services. While properties farther north, south, and west of the site retain a more rural character consistent with Rural Residential Development, the subject property is located immediately adjacent to the Walden community, which is already developed with urban infrastructure and residential densities that exceed one dwelling unit per 2.5 acres. As a result, the site functions as part of an existing urban-density development area rather than a rural residential area.

The proposed PUD with 0.5-acre lots is a logical extension of the established Walden development pattern. The requested density matches the adjacent Walden III neighborhood and is consistent with nearby RR-0.5 residential development, while providing an appropriate transition between the one-acre lots and the larger rural and institutional uses in the area. The proposal maintains a spacious residential character while recognizing the urban services and development pattern already present in the immediate area.

The requested rezoning supports several planning objectives by promoting orderly and contiguous growth adjacent to existing development, making efficient use of available infrastructure and utilities, and avoiding leapfrog development into more rural portions of the County. Because the property lies within an area already served by urban infrastructure and surrounded by developed residential neighborhoods, the proposed 0.5-acre lots represent an appropriate and compatible land use that is consistent with the existing character of the Walden community. Accordingly, the rezoning from RR-5 to PUD provides a reasonable, well-planned transition between surrounding land uses and represents a logical extension of urban-density residential development in this portion of northern El Paso County.

SUBDIVISION CIRCULATION & ACCESS POINTS:

Access to the development is provided via two full-movement access points onto Pinehurst Circle. Access A, located approximately 300 feet west of an existing residential lot. Access B, located approximately 500 feet east of Highway 83 at the existing Pinehurst roundabout. An internal public roadway will connect the two access points.

LSC Consultants prepared a Traffic Generation Analysis for the Walden Preserve 2- Filing 5 Amendment and Filing 6 PUD. The traffic generation analysis determined that site-generated traffic is expected to create no negative impact to traffic operations for the surrounding roadway network that cannot be mitigated by infrastructure improvements. Final determination and design of such improvements will be analyzed and reviewed at the time of the subdivision.

GEOLOGIC HAZARDS:

No geologic hazards were identified that would preclude development of the site. A Soils and Geologic Hazard Report was prepared by Entech for the PUD Development Plan and has been submitted with application.

DRAINAGE:

The drainage and water quality improvements associated with the PUD are consistent with the

Drainage Report. Water quality treatment is provided onsite using grass buffers and a detention pond to treat disturbed area of the project. This development will not adversely impact or deteriorate improvements or natural drainageways downstream of the property.

ECOLOGIC/WILDLIFE ANALYSIS:

That there are no significant wildlife or ecological constraints associated with the proposed development site. While the parcel is located within the ecologically diverse Palmer Divide region and supports common grassland, shrubland, and woodland habitat types, the site does not contain wetlands, riparian areas, protected habitats, or critical ecological resources. The property is used by common wildlife species typical of northern El Paso County, including mule deer, small mammals, songbirds, raptors, coyotes, and foxes, but these species are widespread throughout the region and do not represent a constraint to development.

There is no habitat for federally listed threatened or endangered species. There is no suitable habitat on the property for the federally threatened Preble's Meadow Jumping Mouse, and no critical habitat exists onsite for the federally endangered Whooping Crane. In addition, the parcel lacks the wetland, riparian, and wet meadow features that would be necessary to support these species. As a result, the property does not contain habitats protected under federal endangered species regulations.

Although the property may occasionally be used by raptors such as Ferruginous Hawks or Golden Eagles for foraging or seasonal movement, no nesting sites have been identified. Likewise, while Burrowing Owl habitat is generally associated with prairie dog colonies, no prairie dog colonies are present on the property. There may be a potential need for survey verification prior to development activities if required by regulatory agencies.

Overall, the parcel contains only common wildlife habitat and does not support wetlands, critical habitat, threatened or endangered species habitat, or other sensitive ecological resources.

PARKS & OPEN SPACE:

The Walden Preserve 2- Filing 5 Amendment and Filing 6 PUD has a total of 15.03 acres of open space located within its boundaries. This encompasses 39.4% of the land area within Walden Preserve 2- Filing 5 Amendment and Filing 6 PUD, which is substantially more land than the ten percent required for PUD Development Plans.

COMPLIANCE WITH Criteria of Approval

Per Chapter 4.2.6.D the following criteria listed below outline the approval process for a PUD Development Plan within El Paso County. The proposed PUD Development plan substantially complies with all approval criteria. The proposed development meets the criteria for approval included within Section 4.2.6 of the El Paso County Land Development Code as described below:

PUD REZONING CRITERIA #1: ***"The proposed PUD District zoning advances the stated purposes set forth in this Section."***

The purpose of the PUD zoning district is to encourage innovative and creative neighborhood design. While the RR-0.5 zoning district permits half-acre lot sizes, it does not require the preservation of open space for the benefit of the overall community and mandates larger setbacks between dwellings and property lines. The proposed PUD allows patio homes to be situated closer to front and side lot lines while maintaining larger-than-typical lot sizes. This design approach preserves open space and creates a neighborhood character with an estate-like feel.

PUD REZONING CRITERIA #2: ***“The application is in general conformity with the Master Plan.”***

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.

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 PUD will serve as a transition area from the Walden 1-acre lots to the proposed residential development located north of the subject property and west of Monument Academy.

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. 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.

The proposed PUD with 0.5-acre lots is a logical extension of the established Walden development pattern. The requested density matches the Walden III neighborhood and is consistent with RR-0.5 residential development, while providing an appropriate transition

between the one-acre lots and the larger rural and institutional uses in the area. The proposal maintains a spacious residential character while recognizing the urban services and development pattern already present in the immediate area.

Placetype Analysis: “Suburban Residential”

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

Page 28 of the Plan identifies the following land uses as being Primary Land Uses within the Suburban Residential Placetype:

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

In addition, the Placetype includes the following Supporting Land Uses:

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

The Suburban Residential Placetype is described further on page 28 as follows:

“Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily 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.” (emphasis added)

The Placetype recommends residential densities of up to 5 dwelling units per acre. The proposed PUD zone would result in lot sizes of half an acre. Additionally, the PUD depicts a curvilinear roadway pattern that preserves the natural topography of the site.

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 only partially 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.

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 rezoning satisfies all of these considerations. It is largely consistent with the overall

goals and policies of the Plan, is compatible with the surrounding development pattern and built environment, and supports 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 depicts 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”.

Other Topical Elements of the County Master Plan

The proposed rezone is 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.

PUD REZONING CRITERIA #3: *“The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.”*

No elements within the proposed PUD will be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.

PUD REZONING CRITERIA #4: *“The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area.”*

As noted previously in the discussion of the Transition and Compatibility as well as the El Paso County placetypes, the proposed PUD is fully consistent with the established character of the surrounding developed area. The development pattern, density, and intended residential use align with the existing neighborhood context and reflect the development trends in the surrounding area. The proposed lot sizes are comparable to, and compatible with, those found within adjacent PUD, RR-0.5, and RR-5 zoning districts, ensuring a seamless transition between the proposed development and neighboring properties. By maintaining similar scale, density, and residential character, the proposal supports neighborhood cohesion and is expected to enhance the long-term stability and value of the surrounding communities.

PUD REZONING CRITERIA #5: *“The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships.”*

The proposed PUD provides adequate consideration for potentially detrimental use-to-use relationships by creating a compatible transition between existing residential neighborhoods, institutional uses, and surrounding rural properties. The subject property is located immediately adjacent to the Walden III, which consists of approximately 0.5-acre residential lots, and Walden Preserve 2 Filing 5, which contains lots averaging approximately one acre in size. The proposed 0.5-acre residential lots represent a logical continuation of the existing Walden development pattern and establish an appropriate transition between the higher-density residential neighborhoods to the east and the larger rural and institutional properties located to the north, west and south, including Monument Academy, a riding academy, outdoor storage uses, and undeveloped land. By introducing a residential use consistent with surrounding residential development rather than a

more intensive commercial or mixed-use development, the PUD minimizes the potential for adverse land use conflicts.

The development further incorporates design elements that buffer differing land use intensities both on-site and off-site. Approximately 15.03 acres of open space, representing 39.4 percent of the total land area, are preserved within the PUD, substantially exceeding County open space requirements. These open space areas, together with the regional trail corridor and internal roadway layout, provide separation between development areas and neighboring properties while maintaining connectivity and community character. The curvilinear street design and lot arrangement respond to the site's existing conditions and create a gradual transition in scale from adjacent one-acre lots to the proposed residential development.

Additionally, the proposed PUD recognizes that the property is already served by urban-level infrastructure, including central water and wastewater service, paved roads, and other public facilities associated with the existing Walden community. As a result, the development pattern is consistent with the surrounding built environment and does not introduce a use or intensity that would be out of character with the area. The combination of compatible residential land uses, substantial open space preservation, existing infrastructure, and thoughtful site design ensures that the PUD provides an appropriate transition between differing land use intensities while effectively mitigating potential use-to-use conflicts.

PUD REZONING CRITERIA #6: *“The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.”*

The proposed landscaping elements associated with the PUD area are in conformance with the LDC adopted landscape regulations and will provide a buffer from Highway 83. Additionally, an open space tract is being maintained between the existing Walden community and the proposed PUD and will serve as an additional buffer.

PUD REZONING CRITERIA #7: *“Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.”*

There are no areas with unique or significant historical, cultural, recreational, aesthetic or natural features associated with the PUD.

PUD REZONING CRITERIA #8: *“Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide a reasonable walking and biking opportunities.”*

The recreational amenities included within the PUD include three pocket parks totaling 2.51 acres as well as a regional trail corridor. The existing Regional Trail will be realigned and extended north of Pinehurst Circle.

PUD REZONING CRITERIA #9: ***“The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed.”***

LSC Consultants prepared a Traffic Generation Analysis for the Walden Preserve 2 Filing 5 Amendment and Filing 6 PUD. The analysis concluded that site-generated traffic is not expected to adversely affect operations on the surrounding roadway network. Any potential impacts can be mitigated through future infrastructure improvements. The final determination and design of any required improvements will be evaluated and reviewed during the subdivision process.

All roadways will be public and will be designed to accommodate the required turning radii for fire apparatus. Fire hydrants will be extended throughout the proposed PUD area. The Walden Corporation will provide water and sanitation services to the proposed development and has submitted a will-serve letter confirming service availability.

PUD REZONING CRITERIA #10: ***“The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design.”***

Open space has been provided throughout the project and the roadway design allows for minimal disturbance of the natural grade and terrain.

PUD REZONING CRITERIA #11: ***“The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner.”***

Per the affidavit that was submitted with the application there are no mineral rights associated with this property.

PUD REZONING CRITERIA #12: ***“Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide.”***

The requested PUD modifications regarding intersection spacing and public road frontage for two lots are justified by the overall design of the development. The roadway alignment was carefully planned to follow the natural grade of the property, reduce environmental impacts, and provide two meaningful access points, thereby supporting the design objectives and amenities incorporated into the development plan.

PUD REZONING CRITERIA #13: ***“The owner has authorized the application.”***

Yes, the owner of the property has authorized this application.