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Monument Ridge East
Map Amendment (Rezoning)

Letter of Intent

February 14, 2024

Monument Ridge East, LLC
5055 List Drive
Colorado Springs, CO 80919

OWNER: Monument Ridge East, LLC
5055 List Drive
Colorado Springs, CO 80919

PLANNER: Vertex Consulting Services, LLC
455 E Pikes Peak Avenue, Suite 101
Colorado Springs, CO 80903
719-733-8605
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PROPERTY LOCATION: Southeast of the Interstate 25 and County Line Road interchange

TAX SCHEDULE NOS: 7102200013, 7102200008, 7102200006, 7102201001, 7102201014, and 7102200010

ACREAGE: 40.51 acres proposed for RM-12 zoning and 18.97 acres proposed for RS-6000 zoning, for a total of 59.48 acres.

CURRENT ZONING: PUD, CC, CS, C-1, RS-20000

PROPOSED ZONING: RM-12 and RS-6000

SITE SIZE, ZONING, AND LOCATION:

Vertex Consulting Services, LLC, on behalf of Monument Ridge East, LLC, is respectfully submitting an application for approval of a map amendment (rezone) of 40.51 acres to the RM-12 (Residential Multi-Dwelling) and 18.97 acres to the RS-6000 (Residential Suburban) zoning districts. The property is located on the east side of Interstate 25, south of County Line Road and is bisected by the planned extension of Misty Acres Boulevard.

UTILITY SERVICE:

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

REQUEST:

This is a request for approval of a map amendment (rezone) of 40.51 acres to the RM-12 (Residential Multi-Dwelling) zoning district and 18.97 acres to the RS-6000 (Residential Suburban) zoning district. The applicant is also requesting to impose a restriction on the RS-6000 zoning via a Condition of Approval, which states as follows:

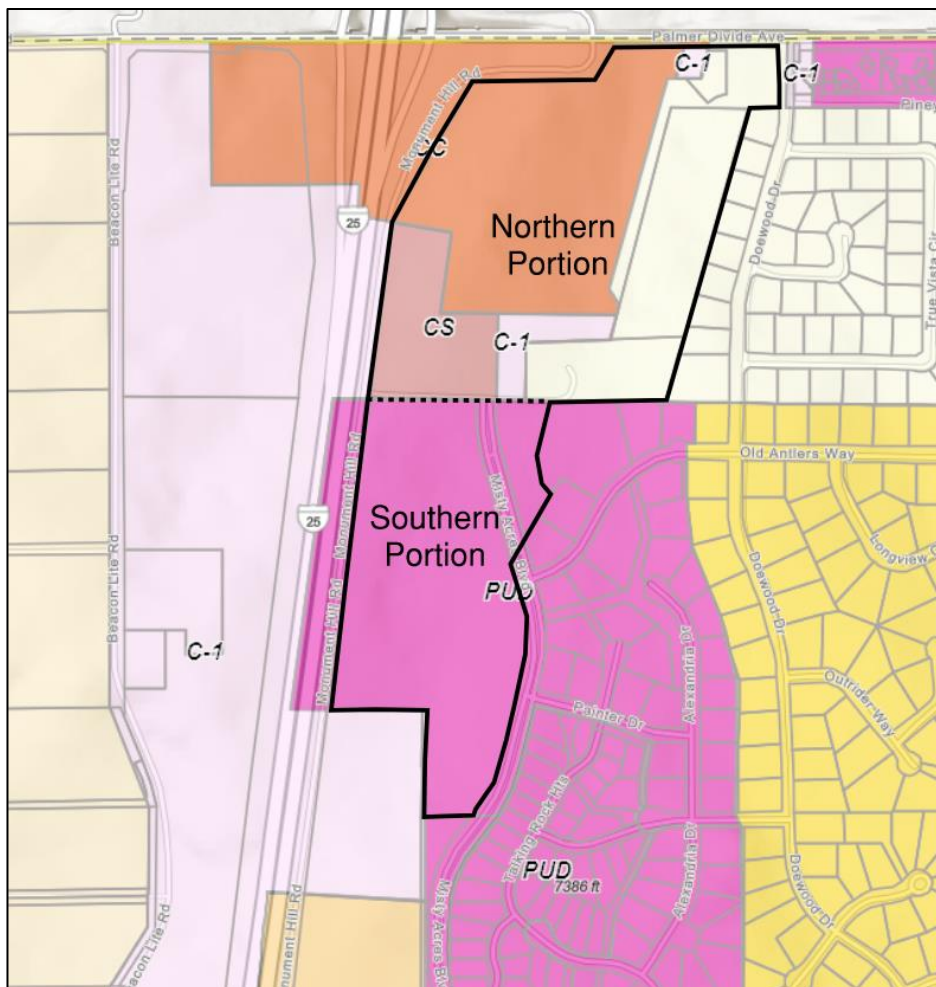
“Any lots platted in the RS-6000 zoning district that are proposed to be located immediately adjacent to Lots 2 – 10 of the Heights Filing 2 Subdivision shall be a minimum of 15,000 square feet.”

The purpose of the Condition of Approval is to provide a lot size and density transition between the more-dense internal residential neighborhood in the Monument Ridge East development and the existing lots located along the west side of Doewood Drive. The proposed minimum lot size of 15,000 square feet has been discussed with many of the neighbors. The neighbors have generally responded favorably to the self-imposed restriction being proposed by applicant.

Background

The 59.48-acre property is currently zoned in a manner that distinctly divides it into two areas, which are herein referred to as the “northern portion” and the “southern portion.” The distinction is created by virtue of the northern portion being zoned via conventional zoning and the southern portion being zoned via an approved PUD (Planned Unit Development). The significance in having the property split zoned between conventional zoning and PUD is further exacerbated by the fact that the conventionally-zoned northern portion is further split zoned with four (4) different zoning districts, including: CC (Commercial Community), Commercial Service (CS), C-1 (Commercial – Obsolete), and RS-20,000 (Residential Suburban) (see exhibit below).

Current Zoning



The varied zoning across the property is prohibiting of well-planned development and effectively renders the property almost completely undevelopable as zoned, particularly in the context of designing and building a quality master planned community.

Current Zoning of Northern Portion of the Property

The northern portion of the proposed Monument Ridge East development is currently zoned as follows:

- Approximately 19.4 acres zoned CC (Commercial Community)
- Approximately 1.86 acres and 0.28 acres (two locations) zoned C-1 (Commercial – Obsolete)
- Approximately 6.13 acres zoned CS (Commercial Service)
- Approximately 13.7 acres zoned RS-20,000 (Residential Suburban)

The following is a list of the land uses that are allowed by right, with approval of a special use, or as a temporary use under the current combination of zoning in the northern portion of the property:

- Amusement Center (indoor and outdoor)
- Auction Facility
- Automobile and Boat Storage Yards
- Automobile and Trailer Sales
- Bakery, Retail and Wholesale
- Bar
- Barber/Beauty Shop
- Temporary Batch Plant
- Billard Parlor
- Boarding House
- Bottling Works
- Business Event Center
- Car Wash
- Carnival or Circus
- Child Care Center
- Christmas Tree Sales
- Club
- CMRS Facilities (Freestanding, Small Cell, and Stealth)
- Commercial or Retail as Park of Overall Shopping Center
- Community Building
- Construction Equipment Storage and Field Offices
- Contractor's Equipment Yard
- Convenience Store
- Copy Shop
- Educational Institution, Private and Public
- Emergency Facility, Private and Public
- Financial Institution
- Firewood Sales
- Fireworks Sales
- Flea Market
- Food Processing
- Freight Terminal
- Funeral Home
- Garbage Service Facility
- Gas Station
- Health Club
- Heavy Equipment Rental, Sales or Storage
- Home Improvement Center
- Hospital
- Hospital, Convalescent
- Hospital, Veterinary
- Hotel
- Human Services Shelter

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- Inert Material Disposal Site (major and minor)
 - Institution, Philanthropic
 - Kennel (major and minor)
 - Laboratory
 - Laundromat
 - Library
 - Light Industry
 - Light Manufacturing
 - Liquor Store
 - Lumber Yard
 - Marijuana Land Use, Medical
 - Meat Processing, Custom
 - Medical Clinic
 - Mineral and Natural Resource Extraction Operation, Commercial
 - Mining, Construction-Related
 - Mini-Warehouse
 - Mixed-Use Residential Units
 - Museum
 - Night Club
 - Nursery, Retail and Wholesale
 - Office, General
 - Off-Premise Sign
 - Over the Air Reception Devices
 - Parking Garage
 - Parking Lot
 - Peddler Sales
 - Prison, Private
 - Proprietary School
 - Public Building, Way or Space
 - Public Park or Open Space
 - Publishing Companies
 - Recreational Vehicle and Boat Storage
 - Rehabilitation Facility
 - Religious Institution
 - Rental Services
 - Repair Shop
 - Restaurant
 - Retail Sales, General
 - Seasonal Produce Sales
 - Sexually-Oriented Business
 - Shopping Center
 - Store
 - Studio
 - Theater
 - Theater, Outdoor
 - Tower, Commercial (non CMRS)
 - Truck and Recreational Vehicle Repair Garage
 - Truck Stop
 - Vehicle Repair Garage, Commercial
 - Warehouse
 - Wholesale Business
 - Wood Sales (Firewood)
 - Yard Sales

Proposed Zoning of Northern Portion of the Property

The list included above is glaringly contrasted by the following list which includes the land uses that would be allowed by right, with approval of a special use, or as a temporary use if the proposed RS-6000 and RM-12 rezoning request is approved:

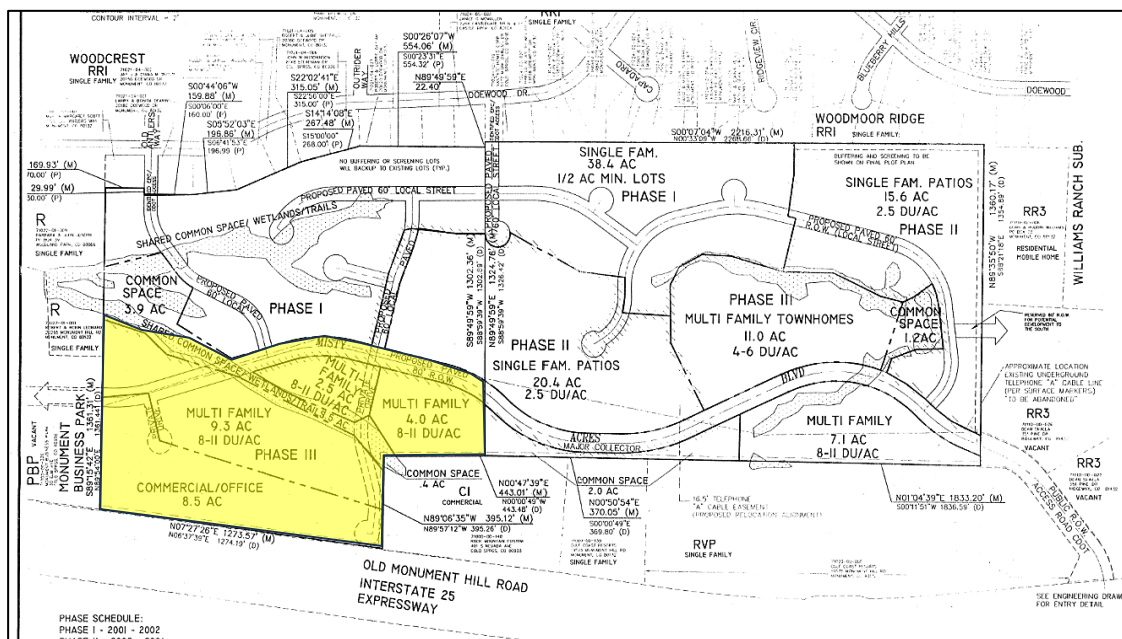
- Adult Care Home
- Batch Plant, Temporary (temporary use)
- Bed and Breakfast Inn (special use)
- Boarding House (RM-12 only)
- Child Care Center (special use in RS-6000, allowed in RM-12)
- CMRS Facility, Small Cell
- CMRS Facility, Stealth (special use)
- Community Building (special use)
- Construction Equipment Storage and Field Offices, Temporary (temporary use)
- Dwelling, Attached Single-Family

- Dwelling, Detach Single-Family
- Dwelling, Multifamily (RM-12 only)
- Dwelling, Two-Family (RM-12 only)
- Education Institution, Private (special use)
- Education Institution, Public
- Emergency Facility, Private (special use)
- Emergency Facility, Public
- Family Care Home
- Group Home
- Hospital, Convalescent (special use in RM-12 only)
- Inert Material Disposal Site (special use)
- Inert Material Disposal Site – Minor
- Kennel, Minor (special use)
- Library (special use in RM-12 only)
- Manufactured Home
- Mineral and Natural Resource Extraction Operations, Commercial (special use)
- Mining, Construction-Related (temporary use)
- Model Home/Subdivision Sales Office
- Over the Air Reception Devices
- Public Building, Way or Space
- Public Park and Open Space
- Religious Housing (allowed in RM-12 only)
- Religious Institution
- Rehabilitation Facility (special use in RM-12 only)
- Retirement Center (allowed in RM-12 only)
- Yard Sales (temporary use)

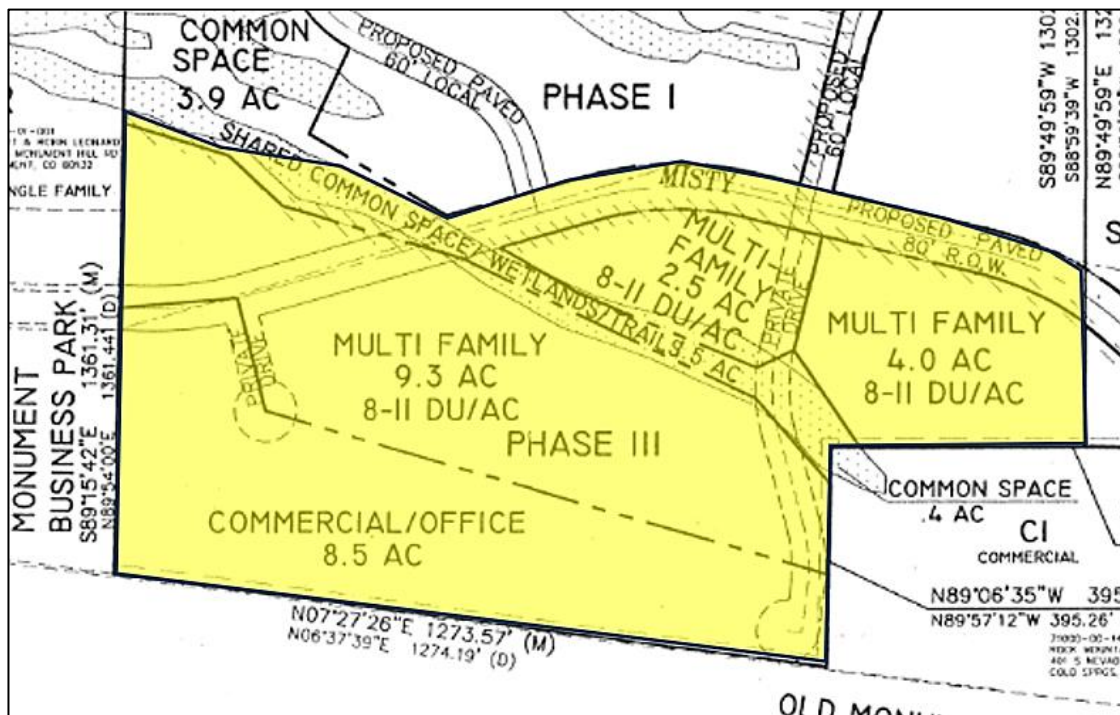
Current Zoning of Southern Portion of the Property

The southern portion of the proposed Monument Ridge East development is currently zoned as PUD (Planned Unit Development) pursuant to the Misty Acres PUD. The portion of the Misty Acres PUD that is included within this rezoning request is depicted below:

Overall Misty Acres PUD (Southern Portion of Subject Property Highlighted in Yellow)



Misty Acres PUD Allowed Uses and Densities for Southern Portion of Subject Property



Based upon the Misty Acres PUD, the current zoning for the southern portion of the subject property includes the following acreages, allowed uses, and allowed densities:

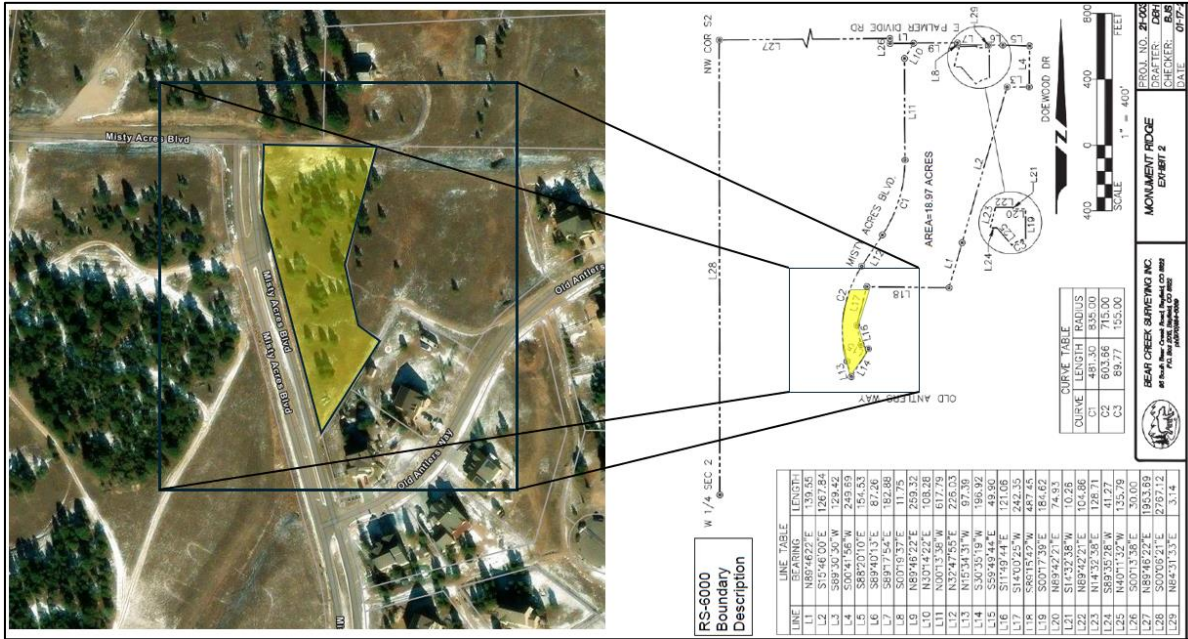
- 8.5 acres of Commercial/Office
- A combined total of 15.8 acres of Multi-Family Residential at 8-11 dwelling unit per acre, for a calculated maximum total of 173.8 multi-family residential dwelling units.

In the event the 8.5 acres of land designated for Commercial/Office use was not viable for commercial or office development, as is often the case across the country following the pandemic, then this area could be rezoned to allow for multi-family development. This is a logical outcome given that it would be similar to the existing adjacent multi-family designation in the Misty Acres PUD of 8-11 dus/acre. Rezoning of the 8.5 acres of Commercial/Office to multifamily at 8-11 dus/acre would then create the potential for development of up to 267.3 multi-family dwelling units in the southern portion of the property.

Proposed Zoning of Southern Portion of the Property

The southern portion is included in the overall request for rezoning, however, 23.93 acres of this 25.81-acre area is proposed to be rezoned to RM-12 and only 1.88 acres is proposed to be rezoned to RS-6,000 and is planned to be platted as a tract for construction of a detention pond along the east side of Misty Acres Boulevard and immediately adjacent to the northwest of Lots 25 and 26 of the Misty Acres Filing No. 1 Subdivision.

Proposed RS-6,000 Zoning in Southern Portion – To be Platted as a Tract for a Detention Pond



Theoretically, the same land uses outlined above for RM-12 and RS-6,000 would also be available in the southern portion of the property with approval of the rezoning, but realistically the main uses for consideration are those identified above as being available in the RM-12 zoning district given that the RS-6,000 zoned area is not proposed to be developed as anything other than a detention pond. At 23.93 acres, the area proposed for RM-12 zoning would allow for a maximum of 287.16 dwelling units, which would be a moderate increase of less than 20 dwelling units (calculated as 19.86 units) above the potential multi-family density of the area via a PUD as described above. It is important to note, however, that although the number of dwelling units could potentially increase in the southern portion by approximately 20 with the proposed rezoning to RM-12, the same area would no longer include any commercial zoning.

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. However, that is not the case with this map amendment (rezoning) request, as identified below.

Chapter 3 Land Use

Key Area Analysis: “Tri-Lakes Key Area” and “Potential Areas for Annexation”

“Tri-Lakes” Key Area

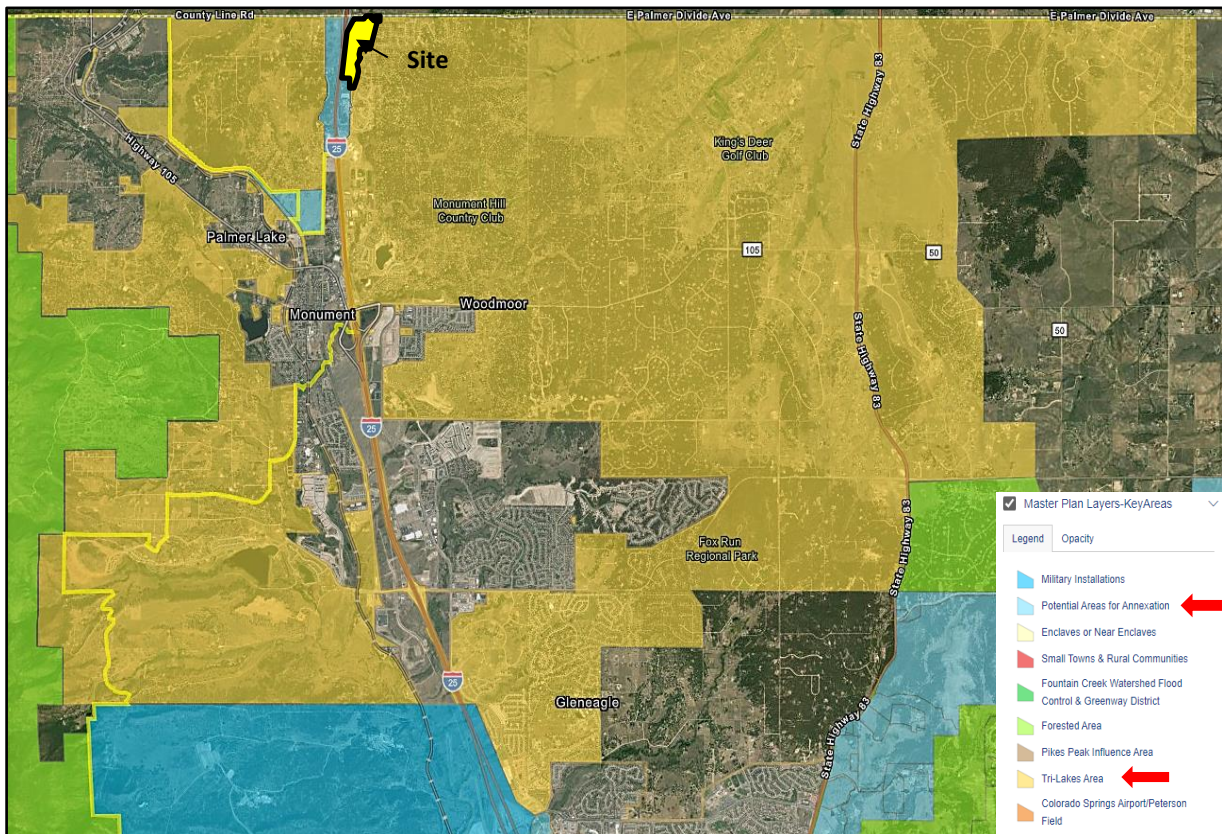
A portion of the property is located within the Tri-Lakes Key Area. The Plan describes the key area as follows:

“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. In addition, the proposed rezoning includes two different zoning districts, RM-12 and RS-6000, to 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 relative location of the site with respect to the rest of the Tri-Lakes Key Area. The context provided by this exhibit indicates the importance of supporting the RM-12 and RS-6000 rezoning due to the immediate adjacency of the site to Interstate 25, which is even more pertinent when compared to the rest of the Key Area. Other locations in the Tri-Lakes Key Area would not be appropriate for increased residential densities due to concerns over use-to-use or even zoning-to-zoning compatibility such as in areas located to the east that area currently zoned RR-5 or RR-2.5. As the Tri-Lakes Key Area continues to build out the most logical location for meaningful residential growth is along the Interstate 25 corridor, whether within the incorporated boundaries of Towns of Monument or Palmer Lake, or on centralized services in unincorporated El Paso County, as would be the case with this site.



“Potential Areas for Annexation” Key Area

The remaining portion of the property that is located outside the boundaries of the “Tri-Lakes” Key Area is within the “Areas for Potential Annexation” Key Area. The Plan describes the Potential Areas for Annexation as follows:

“A significant portion of the County’s expected population growth will be located in one of the eight incorporated municipalities. As the largest municipality in El Paso County, Colorado Springs is expected to grow in population over the next several decades. As a result of this growth, Colorado Springs, and other municipalities including Fountain and Monument, will need to annex parts of unincorporated County to plan for and **accommodate new development**. This will either occur through new development within existing municipal limits or the annexation of subdivisions in unincorporated parts of the County.”

“This Key Area outlines the portions of the County that are **anticipated to be annexed as development occurs**. It is imperative that the County continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds. The County should coordinate with each of the municipalities experiencing substantial growth the development of an intergovernmental agreement similar to that developed with Colorado Springs.”

The challenge for owners of land located within the “Potential Areas for Annexation” Key Area is that the final decision as to whether to annex the land into the respective incorporated city or town lies exclusively with the city or town itself. The owner of the property experienced this challenge firsthand while twice attempting to annex the property into the Town of Monument. The first attempt at annexing the land into the Town of Monument in 2022 ultimately resulted in the property owner withdrawing the annexation petition after an unfavorable and formally continued Town Planning Commission hearing. Delaying the hearing via a continuance strategically allowed for the then-recently elected but not yet seated Town Trustees to hear the request instead of the then-seated Trustees.

On the property owner’s second attempt to annex the land into the Town of Monument, which occurred in 2023, the Town Board of Trustees denied a separate annexation petition for property located at the southwest corner of Interstate 25 and County Line Road, which is also owned by the owner of the subject property. Denial of that annexation petition effectively rendered annexation of the subject property into the Town impractical due to contiguity issues. On both occasions, Town staff invited and encouraged the property owner to annex into the Town only to then have the proposed development meet political opposition.

One of the main reasons for annexing land into a municipality is to obtain centralized water and wastewater service, which can help justify an overall increase in development intensity, whether that be as more intense commercial or industrial development or higher residential development, as was the intent of the landowner in requesting annexation into the Town of Monument. Centralized water and wastewater services can, however, still be provided to developments in the County via a special district(s). In this case, Woodmoor Water and Sanitation District, was already going to provide water and wastewater service to the development even if annexed into the Town of Monument due to Monument’s inability to serve new development on the east side of Interstate

25 in this area. Woodmoor Water and Sanitation District has confirmed its commitment to providing municipal-level water and wastewater services to the proposed development even if it develops in unincorporate El Paso County.

Even though annexation of the land has been repeatedly rejected by the Town of Monument, the intent of the Key Area designation of the land as a “Potential Area for Annexation” can still be maintained with inclusion of the land into the Woodmoor Water and Sanitation District. All of this suggests that development of the subject property in unincorporated El Paso County is equivalent if not more sustainable in this area of the County than it might have otherwise been in Town of Monument.

Area of Change Analysis: “Minimal Change: Developed” and “New Development”

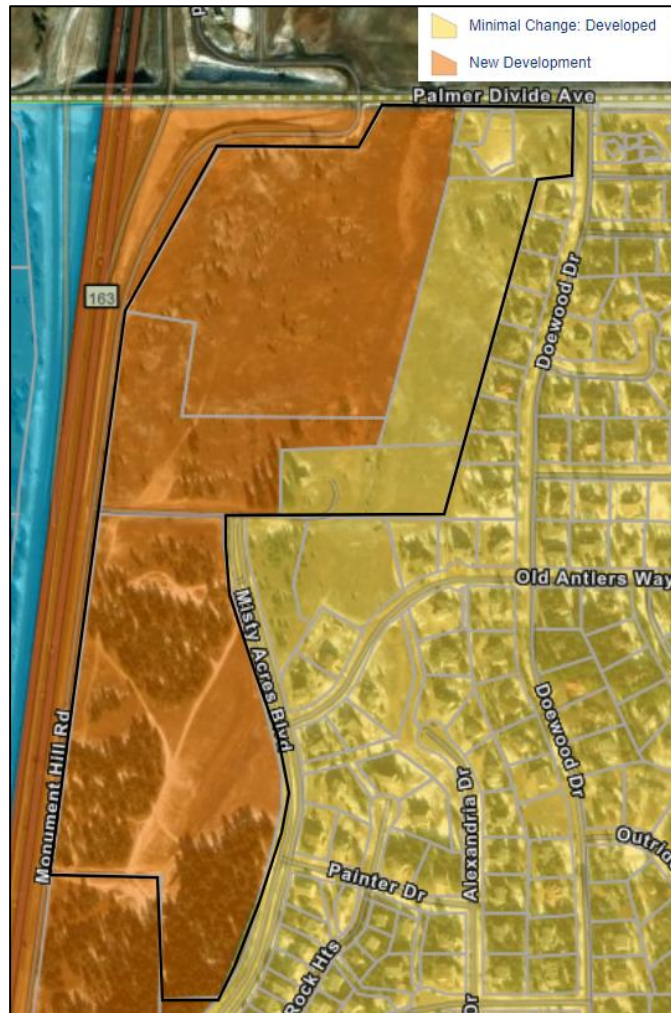
The subject property is identified in the Areas of Change map within the Plan as being primarily with the “New Development” area of change with a smaller portion within the “Minimal Change: Developed” area of change (see the map on the next page for the delineation of the two areas).

“New Development” Area of Change

Page 21 of the Plan characterizes areas of “New Development” by stating:

“These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. ***Undeveloped portions of the County that are adjacent to a built out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one*** such as an employment hub or business park adjacent to an urban neighborhood.”

(Emphasis added)



Your El Paso Master Plan identifies only 9% of land within unincorporated El Paso County as being within an Area of Change for “New Development.” For comparison purposes, 90% of unincorporated El Paso County is identified expected to see minimal change, if any. These areas are comprised with 70% as “Minimal Change: Undeveloped”, 6% as “Minimal Change: Developed”, and the remaining 14% as “Protected/Conservation Area”. Page 20 of the Plan states the following:

“As El Paso County plans for growth and development over the coming decades, it is anticipated that some areas of the County will change more significantly than other areas.”

Further down on page 20 the Plan goes on to focus the discussion of change specifically on the need to address housing affordability, without regard for existing demographics or localized preferences, when it says:

“A key factor in identifying areas of new development, particularly for residential uses, is affordability. Housing affordability is addressed in Chapter 4 Housing & Communities

page 58).”

These statements indicate that the proposed RS-6000 and RM-12 rezoning request, which will allow for new development to occur on the property, is consistent with the “New Development” Area of Change designation and is even more uniquely supported by the Plan as an opportunity to help address the County-wide issue of housing affordability. This is particularly critical in the Tri-Lakes Area of the County which is generally void of any form of affordable housing or even mid-level housing. The proposed change to the property is residential in nature and would provide an appropriate transition between existing residential to the east and Interstate 25 to the west. The residential “character” of the area is therefore maintained, which would not necessarily be the case if the property were to be developed pursuant to the current mix of residential and commercial zoning.

“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.”

The mapping of the boundary of the “Minimal Change: Developed” Area of Change on the property is not consistent with the actual developed status of the property. The exhibit provided above shows an aerial image of the property underlying the Area of Change designations. The aerial image clearly shows that no development has occurred on the property, which suggests that all of the property probably should have been designated as “New Development.”

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.

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.”

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 ranging from neighborhoods located immediately east of the subject property all the way east to Furrow Road and beyond as well as north to the Douglas County/El Paso County line. Similarly, single family residential is found west of the property from properties along Beason Lite Road to the Town of Palmer Lake. These areas are typical of the Suburban Residential Placetype Designation. It is important to note, however, that the Suburban Residential Placetype also includes single-family attached and multi-family residential as supporting land uses, which would be consistent with the proposed RS-6,000 and RM-12 rezoning as evidenced by the list of allowed land uses included above. Roughly six (6) square miles (or approximately 3,956 acres) of Suburban Residential Placetype-designated land located in this area of the County is already predominately developed with single family residential dwellings, suggesting that there is almost an overabundance of existing single family residential in the area when compared to the supporting single-family attached and multi-family residential land uses, of which there is basically none in the same area.

The 59.48 acres that make up the proposed rezoning area are estimated to represent less than 2% of the land included in the local Suburban Residential Placetype area. This means that the

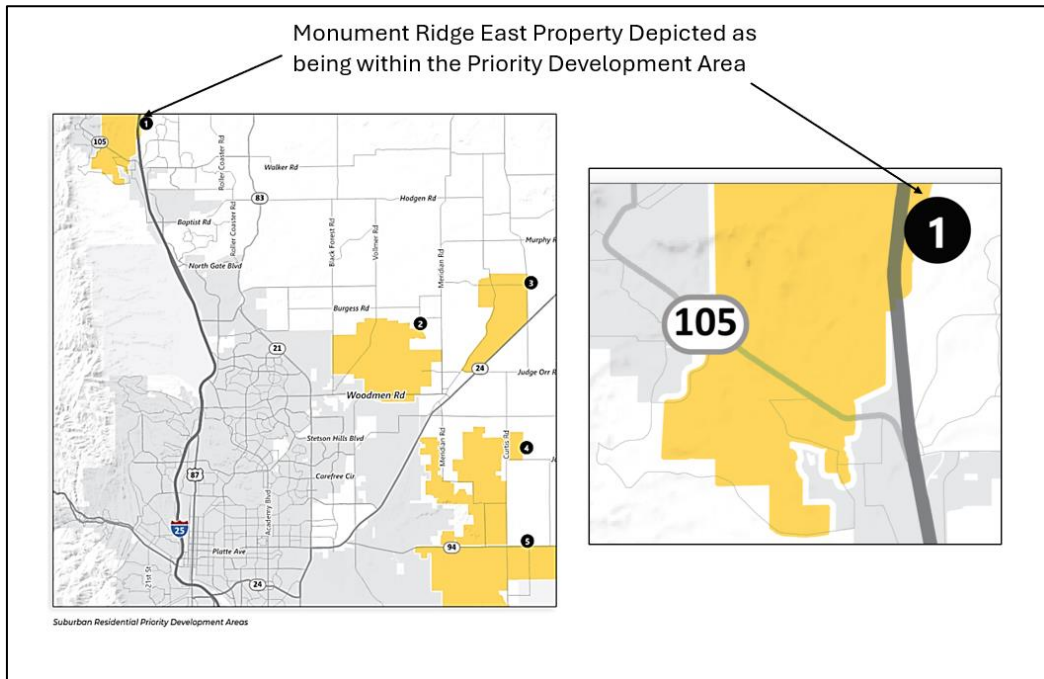
proposed development is not only a “Supporting Land Use” to the expansive single-family residential development that existing in this area today, but it can also be characterized as “Supportive” in terms of its size and scale in the context of the overall surrounding Suburban Residential Placetype area.

Inclusion of compatible, but not necessarily the same, residential land uses such as multi-family and single-family attached within the Suburban Residential Placetype demonstrates the overall vision of the Master Plan. No better location exists in this area, or perhaps even throughout the County as a whole, to locate RM-12 and RS-6000 zoned development than the subject property located immediately adjacent to Interstate 25.

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 rezoning is also in total alignment with the Residential Priority Development Area designation found in Chapter 4 of the Plan. The Monument Ridge East property is identified as being within the Highway 105 & Interstate 25 Priority Development Area. Page 52 of the Plan describes this area as follows:

“The area is located between Monument, Woodmoor, and Palmer Lake. Due to its proximity to these communities, this area has largely developed to match that community’s style of suburban residential and should continue to do so without impediment. It would also be supported by commercial and public services, both of which are important factors when considering denser development. **Furthermore, increased density at the north end of the County would help support residents who commute north for work every day.**” (emphasis added)



The Suburban Residential Priority Development Areas section then goes on to support well-planned higher-density residential development in this area by stating:

“Single-family attached and detached housing units should be developed in a cohesive manner that establishes a seamless transition between different housing types, as opposed to large, isolated clusters or blocks of a single type of housing. Maintaining this mixed development pattern should be prioritized by the County to preserve the existing residential character of this area.”

By including RS-6,000 zoning between the proposed RM-12 zoning and the existing single family residential lots to the east, and by proposing a condition of that RS-6,000 zoning that requires a minimum of 15,000 square foot lots adjacent to the existing residences, the applicant is helping to establish a seamless transition along the properties only shared border with existing residential development. Furthermore, the proposed development can be served by centralized services which justifies “increased density” so as to support residents who commute north to the Denver Metropolitan Area for work every day.

The multi-family and attached single family supporting land use allowance in the Suburban Residential Placetype found in Chapter 3 of the Plan combined with the encouraging and prioritizing language in Chapter 4 supporting increased residential density on the subject property as a “Priority Development Area” result in a County Master Plan that overwhelming supports the proposed RS-6,000 and RM-12 rezoning requests. Housing availability and affordability is one of the main issues facing the Pikes Peak Regional today. Projects like the Monument Ridge East project cannot by itself resolve that issue, but it can be part of the solution. The housing solutions for the otherwise homogenously developed Tri-Lakes Area are evident throughout the Master Plan as discussed above. It is through this rezoning request

that the applicant is championing those solutions for the Tri-Lakes Area and proposing to aid the County as a whole as it continues to address this ever-increasing Countywide housing challenge.

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 Woodmoor 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) depicts the property as having “local access” within five (5) miles of two parks, Palmer Lake Recreation Area and Fox Run Regional Park. The Plan does not depict any planned trails or open space within or adjacent to the subject property. 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.

2016 Major Transportation Corridors Plan (MTCP)

Map 14. The 2040 Roadway Plan (Classification and Lanes) exhibit of the 2016 El Paso County Major Transportation Corridors Plan (MTCP) doesn’t identifies Interstate 25 to the west of the project as a “Freeway” and it depicts several other “Collector” level roads in the area. No new roadways or roadway classification upgrades are depicted for any of the roads within or immediately serving the proposed development.

A northern extension of Misty Acres Boulevard connecting to County Line Road has been planned for well over a decade but is not depicted on the 2016 MTCP. Nevertheless, the applicant is proposing to construct the planned extension of Misty Acres Boulevard and will seek County Road Impact Fee credits therefrom. The anticipated intersection of Misty Acres Boulevard and County Line Road will likely need to be phased from a three-way stop-controlled intersection to a signalized intersection. The fourth leg of the intersection coming from north of County Line Road in Douglas County is not anticipated at this point since the property in that area is subject to a conservation easement.

At the request of the County, the applicant also plans to construct an easterly extension of

Monument Hill Road through the proposed development as a connection to Misty Acres Boulevard. This connection has also been planned for some time and will eliminate the dead-end terminus of Monument Hill Road that exists today.

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.

How are you preserving the existing trees on the site?

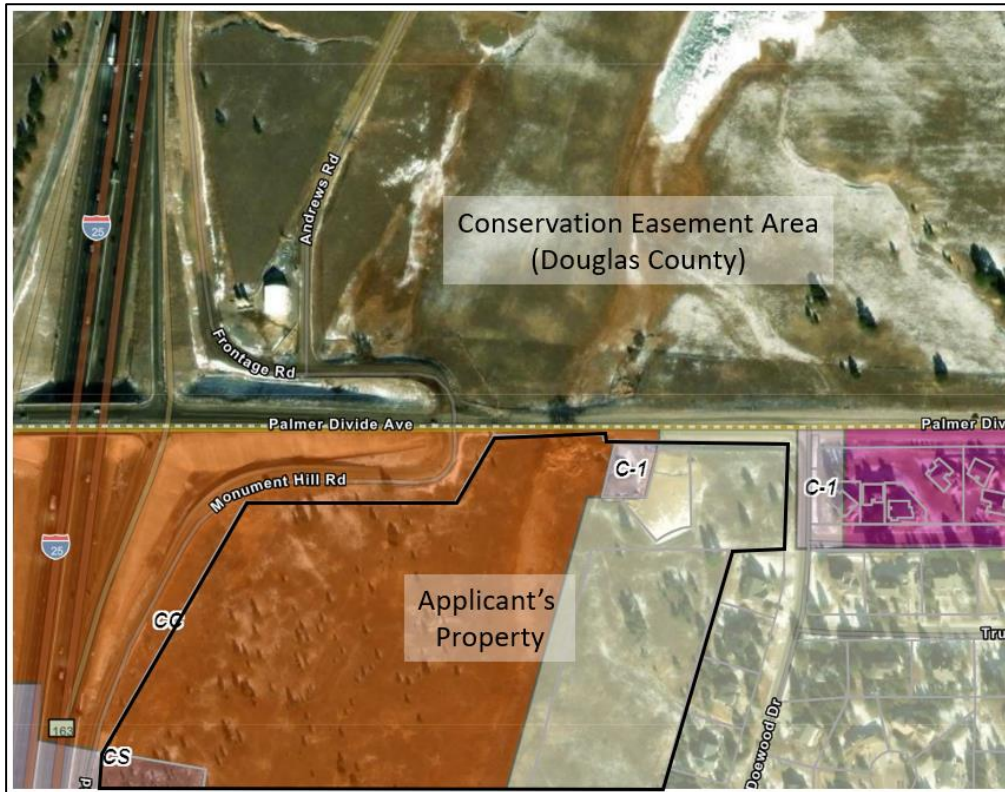
REZONING CRITERIA #2: *The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116.*

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.

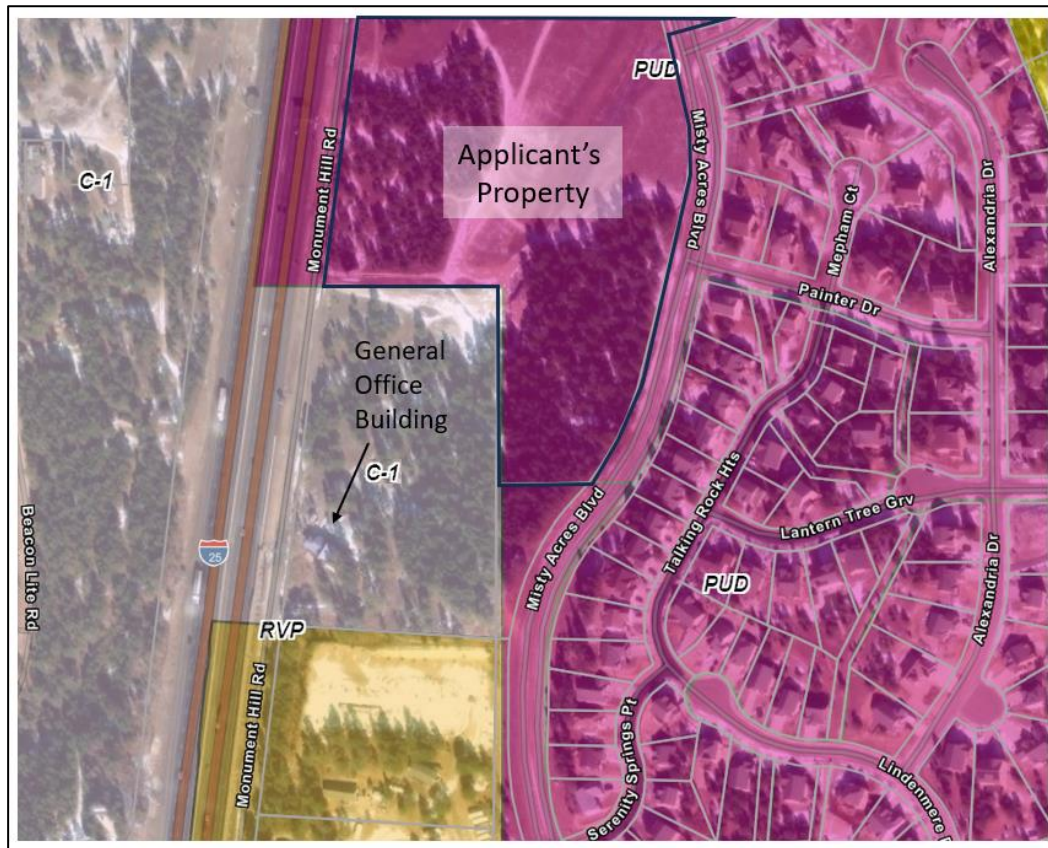
REZONING CRITERIA #3: *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.*

The proposed residential rezonings to RS-6000 and RM-12 are consistent with the existing and permitted land uses and zone districts in all directions. The following is an analysis of the existing and permitted land uses surrounding the property:

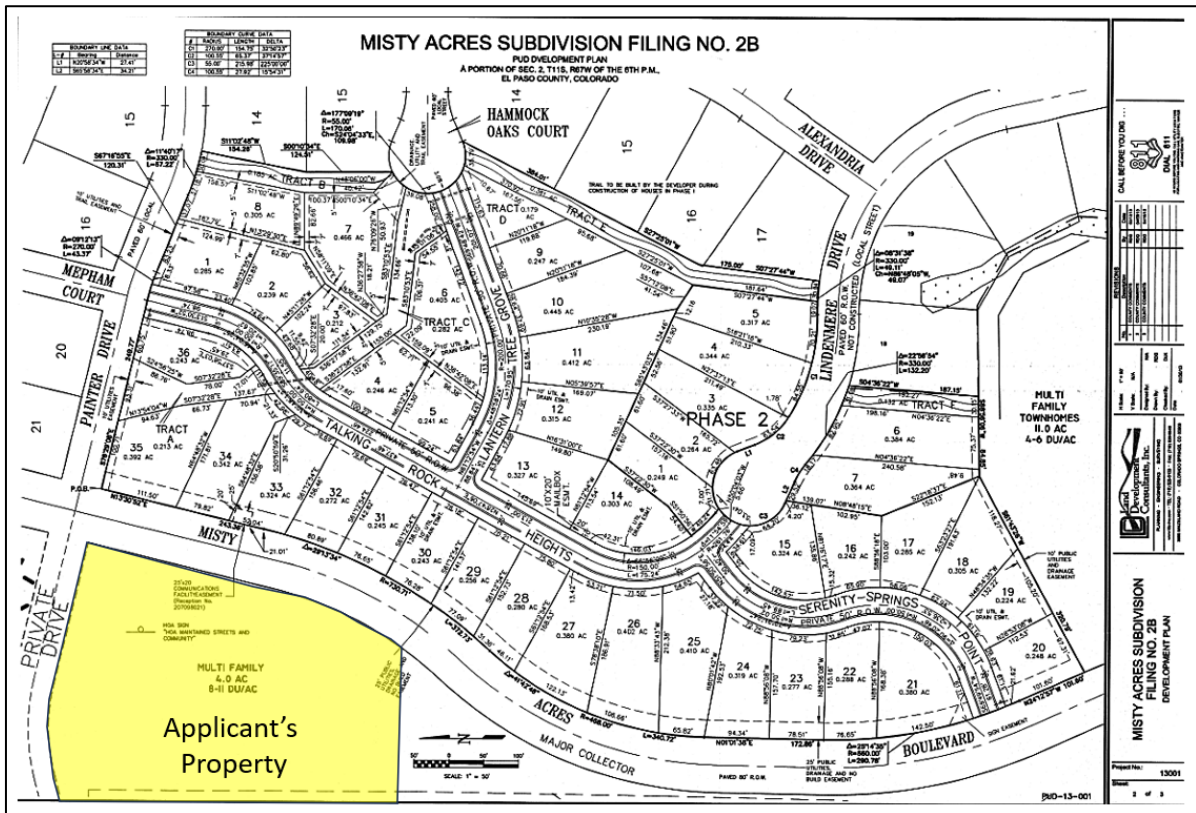
- **North** – To the north of the property is County Line Road. Across County Line Road to the north is vacant, undevelopable land located in Douglas County. The land is generally considered undevelopable due to the land being within a conservation easement.



- **South** – Adjacent to the south end of the Monument Ridge East property is land that is currently zoned C-1 (Commercial Obsolete). There is an existing general office building located on this property in the southwesterly-most corner adjacent to and accessing from Monument Hill Road (aka Interstate 25 Frontage Road).

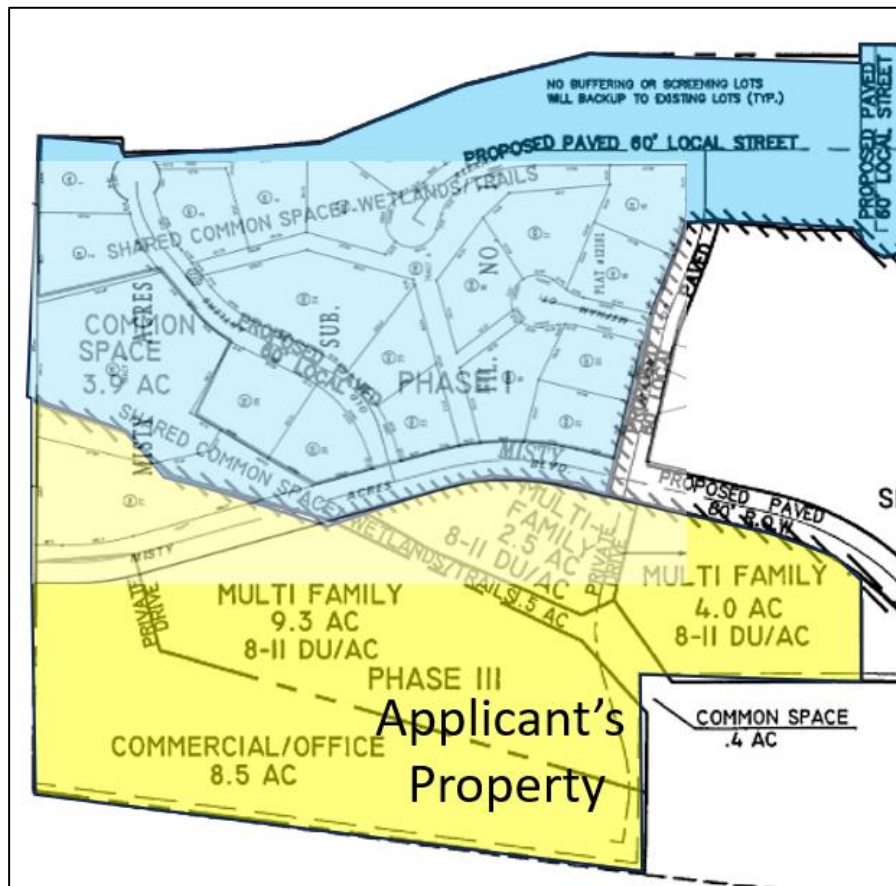
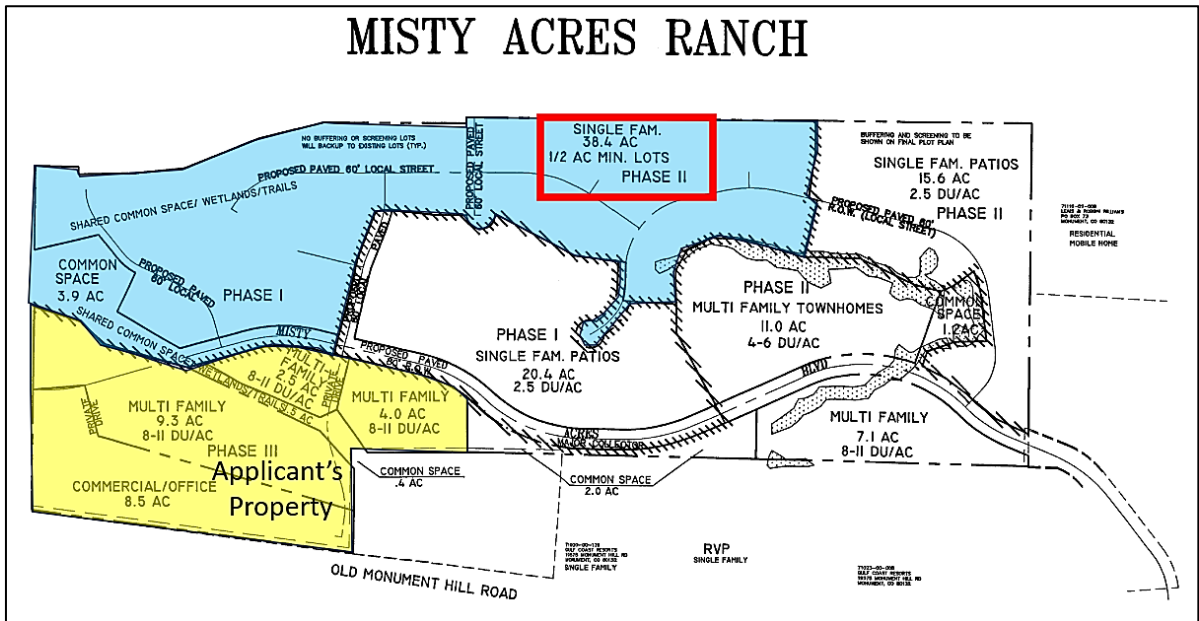


- **Southeast- South of Painter Drive** – The southern half of the eastern boundary of the property (adjacent to the area currently zoned PUD) south of Painter Drive fronts Misty Acres Boulevard. Across Misty Acres Boulevard to the east and south of Painter Drive are existing single-family residential properties zoned PUD pursuant to the Misty Acres Filing No. 2B Development Plan (see copy of Plan below). This development plan amended the prior PUD zoning to replace the approved patio home designation with single-family residential lots. It is important to note, however, that the portion of the property included in this rezoning request was clearly depicted at being zoned for “Multi-Family” on the Filing No. 2B Development Plan, which would be included in the title work at closing on all of the single-family lots in the Misty Acres Filing No. 2B subdivision. This means that all of the lot owners along the east side Misty Acres Boulevard in this area would have received express notice at the time that they purchased their property that the land across Misty Acres Boulevard was already zoned for multi-family residential development.



In approving the Misty Acres Filing No. 2B PUD amendment, which allowed for development of the current single-family lots in the Misty Acres Filing No. 2B subdivision, the Board of County Commissioners has already determined that higher density residential development (including multi-family) on the west side of Misty Acres Boulevard is compatible with single-family residential on the east side of Misty Acres Boulevard. This proposed rezoning request, if approved, would not change that finding of compatibility.

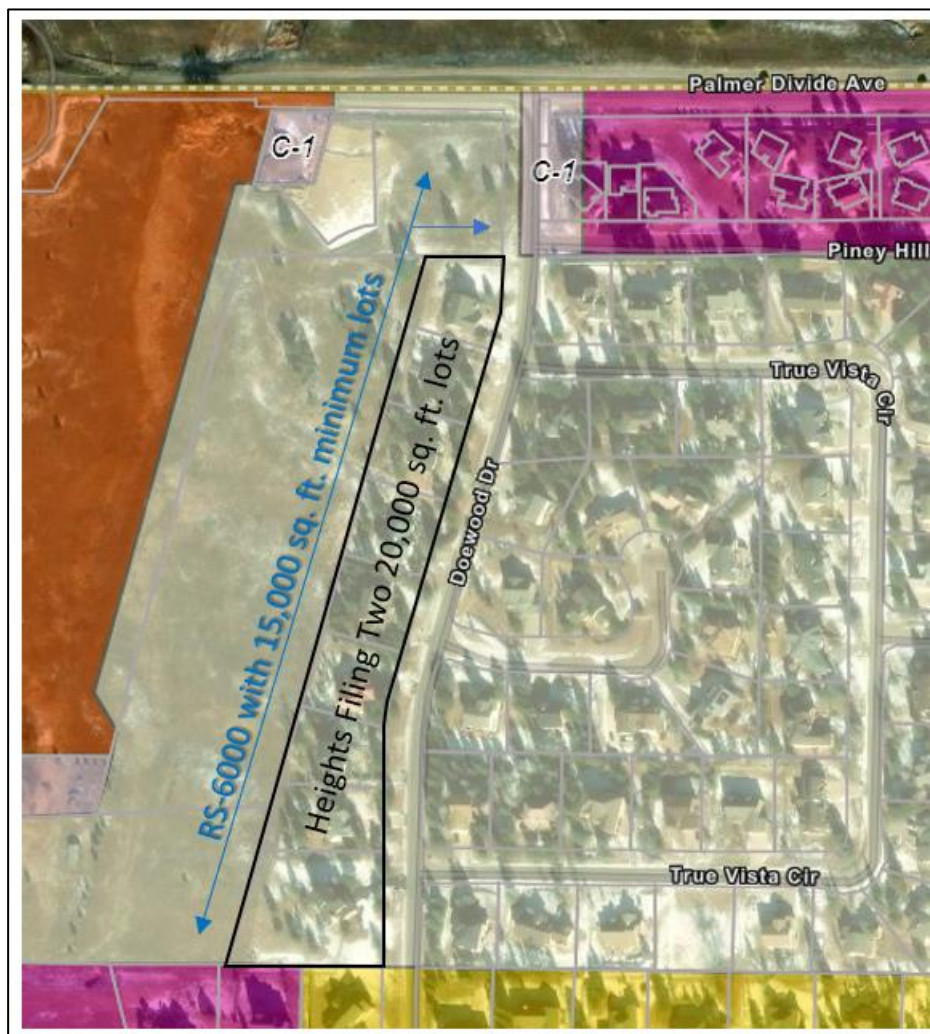
- Southeast- North of Painter Drive** – The southern half of the eastern boundary of the property (adjacent to the area currently zoned PUD) north of Painter Drive fronts Misty Acres Boulevard. Across Misty Acres Boulevard to the east and north of Painter Drive are existing single-family residential properties zoned PUD pursuant to the Misty Acres Ranch PUD Development Plan (see copy of Plan below). This development plan zoned the east side of Misty Acres Boulevard as “Single-Family 1/2 AC Min. Lots”, pursuant to which the Misty Acres Filing No. 1 subdivision was platted and has now been fully development with single-family residences. The development plan also clearly depicts the west side of Misty Acres Boulevard as being zoned for “Multi-Family”. Just like the lots in Misty Acres Filing No. 2B discussed above, the owners of lots in Filing No. 1 would also have received express notice at the time that they purchased their property that the land located to the west across Misty Acres Boulevard was already zoned for multi-family residential development.



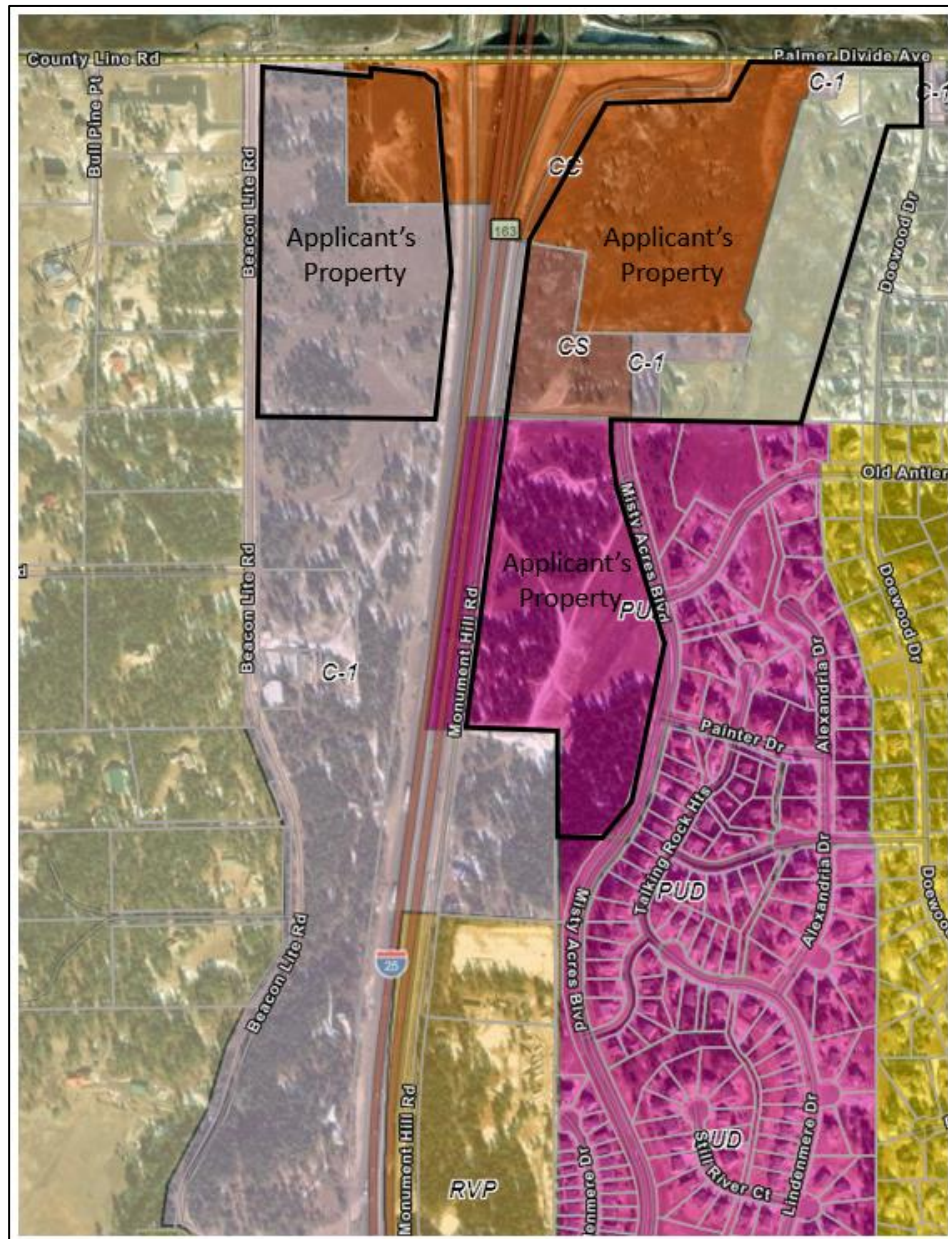
The Board of County Commissioners' approval of the Misty Acres Ranch PUD and the subsequent approval of the Misty Acres Filing No. 1 subdivision confirm that higher density residential development (including multi-family) on the west side of Misty Acres Boulevard

is compatible with single-family residential on the east side of Misty Acres Boulevard. This proposed rezoning request, if approved, would not change that history of compatibility findings.

- **Northeast** – The single-family lots located adjacent to the northeastern portion of the proposed Monument Ridge East rezone area, which also front Doewood Drive, were platted at part of the Heights Filing Two subdivision pursuant to the RS-20000 (Residential Suburban) zoning. Each of these lots are comprised of a minimum of 20,000 square feet. In order to ensure compatibility with these existing RS-20000-zoned lots, the applicant is proposing to rezone this area of the property to RS-6000 but to condition that rezoning to require all lots platted adjacent to those lots in the Heights Filing Two to be a minimum of 15,000 square feet. Ensure comparable lots sizes and the same single-family residential mixed use in this area allows the proposed RS-6000 rezoning to be compatible with the existing zoning and land uses in this area.



- West** – Interstate 25 and Monument Hill Road are located immediately to the west of Monument Ridge East property. The right-of-way width for Interstate 25 in this area is a minimum of approximately 300 feet from east to west. Across Interstate 25, between Beacon Lite Road and Interstate 25, is property owned by the applicant that is currently zoned C-1 (Commercial – Obsolete). South of the applicant’s ownership is additional land that is currently zoned C-1, which extends for approximately another 3,583 feet south along Interstate 25. There are two existing freestanding stealth CMRS facilities (mono-pines) in the area south of the applicant’s land on the west side of Interstate 25 along with a number of off-site advertising billboards. The proposed RM-12 zoning is compatible with the existing low-intensity non-residential land uses located over 300 feet to the west on the other side of Interstate 25.



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 deviations or variances from the density and dimensional standards identified above.

Table 5-5 of the Land Development Code also identifies the density and dimensional standards of the RS-6000 zoning district as follows:

- Minimum Lot Size: 6,000 sq ft ^{1,2}
- Minimum Lot Width: 50 ft
- Front Setback: 25 ft ²
- Side Setback: 5 ft ²
- Rear Setback: 25 (5) ft ²
- Maximum Lot Coverage: 40%/45%³

- Maximum Height: 30 feet

¹ 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.

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 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-6000 zoning can be readily developed pursuant to the RS-6000 zoning without requiring deviations or variances from the density and dimensional standards identified above. A portion of the property is proposed to be conditioned to require a minimum lot size of 15,000 square feet along the northeastern boundary adjacent to existing RS-20000 zoned lots. There are no site-specific limitations that would preclude development of the 15,000 acre lots or standard RS-6000 acre lots.