

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 9/10/2026
RE: P264; Kyle Rezone

Project Description

A request by James Kyle for approval of a Map Amendment (Rezoning) of 13.28 acres from RR-5 (Residential Rural) to RM-30 (Residential Multi-Dwelling). The property is located at 12057 E Highway 24. The item was heard as a called-up consent agenda item at the July 16th, 2026, Planning Commission Hearing. A recommendation to approve was passed 7-0 by the Planning Commission Members. (Parcel No. 4307200007) (Commissioner District No. 2)

Notation

Please see the Planning Commission Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Bailey moved / Byers seconded for Approval of the Kyle Rezone utilizing the resolution attached to the staff report, that this item be forwarded to the Board of County Commissioners for their consideration. The motion for Approval was approved (7-0). The item was heard as a regular agenda item.

Discussion

Discussion was primarily focused on traffic and transportation, and access issues on Highway 24.

Attachments

1. Planning Commission Minutes from 7/16/2026.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, Thursday July 16th, 2026, El Paso County Planning and Community Development Department
2880 International Circle, Colorado Springs, Colorado – Second Floor Hearing Room

REGULAR HEARING at 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: Thomas Bailey, Michael Brewer, Jim Byers, Bryce Schuettepelz, Tim Trowbridge, Christopher Whitney and Jason Wulf (Virtual).

PC MEMBERS PRESENT AND NOT VOTING: None.

PC MEMBERS ABSENT: Sarah Brittain Jack, Blaine Brew, Suzanne Casagrande, Mae Emrick, and Eric Moraes.

STAFF PRESENT: Meggan Herington, Justin Kilgore, Victoria Chavez, Steven Klaffky, Kari Parsons, Ryan Howser, Jalal Saleh, Daniel Torres, Gilbert LaForce, and Jessica Merriam.

OTHERS PRESENT AND SPEAKING: Chief Trent Harwig, Craig Dossey, Scott Asher, Maureen Paz de Araujo, Eric Ecklund, and Steve Mulliken.

1. REPORT ITEMS

Ms. Merriam advised the board that the next PC Hearing is Thursday, August 20th, 2026, at 9:00 A.M.

2. PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA

NONE.

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held on July 2nd, 2026.

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

IN FAVOR: (7) Bailey, Brewer, Byers, Schuettepelz, Trowbridge, Whitney, and Wulf.

IN OPPOSITION: (0) None.

B. P264

BAGLEY

MAP AMENDMENT (REZONING)

KYLE REZONE

A request by James Kyle for approval of a Map Amendment (Rezoning) of 13.28 acres from RR-5 (Residential Rural) to RM-30 (Residential Multi-Dwelling). The property is located at 12057 E Highway 24 between Woodmen Road and Meridian Road. (Parcel No. 4307200007) (Commissioner District No. 2)

PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER PLANNING COMMISSION BOARD REQUEST.

4. CALLED-UP CONSENT ITEMS:

3B. P264

BAGLEY

MAP AMENDMENT (REZONING)

KYLE REZONE

A request by James Kyle for approval of a Map Amendment (Rezoning) of 13.28 acres from RR-5 (Residential Rural) to RM-30 (Residential Multi-Dwelling). The property is located at 12057 E Highway 24 between Woodmen Road and Meridian Road. (Parcel No. 4307200007) (Commissioner District No. 2)

STAFF & APPLICANT PRESENTATIONS

DISCUSSION: Mr. Byers expressed concern regarding the number of trips that would be generated and the potential number of units relying on a single point of access configured as right-in/right-out within a constrained corridor. He asked whether the County viewed the proposed access as acceptable for approval. Mr. Jalal Saleh, senior engineer, responded that staff is aware of the access constraints and noted that the Commons at Falcon Field Filing No. 3 is anticipated to provide an additional connection from this development. He explained that provisions, including a stub connection, have

already been incorporated into the Commons at Falcon Field plans. Two intervening parcels currently separate the properties, and the additional connection to the Highway 24/Woodmen intersection area would become available when those parcels develop. **Mr. Byers** acknowledged the future connection but noted that the two intervening parcels are not under the control of the current applicant. He raised concern about the possibility of the project proceeding with approximately 300 units on a single point of access, which he characterized as substantially exceeding typical allowances. **Mr. Daniel Torres**, Engineering Manager, stated that the traffic study analyzed the proposed condition and found that levels of service at the affected intersections would remain acceptable at build-out. He noted that CDOT raised no objections to the projected traffic volumes. While the applicant had requested additional movements, including a three-quarter movement, CDOT limited the access to right-in/right-out only until the Falcon Field Filing No. 3 connection is constructed. The traffic study demonstrated that levels of service, with the proposed auxiliary lane improvements, would be sufficient under interim conditions. **Mr. Byers** further noted an apparent inconsistency in the traffic report (page 16 graphic) showing approximately 40 percent of trips oriented southbound, despite the physical inability to travel south without first traveling north and circulating through the Woodmen Road/Highway 24 intersection. **Mr. Torres** confirmed that southbound travel would require a U-turn or circulation via Woodmen Road and Meridian Road, and that this configuration was discussed with the traffic engineer. He indicated that trip distribution would be refined once a more detailed development plan and specific land uses are known. **Mr. Byers** stated that while the configuration may not constitute a formal approval criterion at this stage, it is important for the applicant to understand that the single point of access presents a difficult condition.

Mr. Bailey stated that the prior responses addressed his questions and emphasized that the application is at a very early stage in the process. He noted that CDOT's jurisdiction is significant because the County has less control over that access point, and that the applicant will have the opportunity to develop a workable access plan as the project advances. He further observed that a detailed development plan must be prepared and reviewed before final access configurations are locked in, providing additional opportunities for evaluation as the plans are refined. **Mr. Torres** confirmed that the access falls under CDOT jurisdiction and that CDOT will determine the specific requirements associated with any access permit. He explained that the current right-in/right-out configuration represents the most restrictive condition that could be imposed at this time. The traffic study analyzed

the maximum density permitted under the proposed RM-30 zoning; once a subsequent development plan is submitted, the applicant will be required to update the traffic study with actual unit counts and refined analysis. Mr. Torres also noted that the traffic study accounted for planned Highway 24 improvements, which are anticipated to begin in the summer of the following year and will widen the corridor to three through lanes. **Mr. Bailey** responded that it is appropriate at this stage to establish the most restrictive access limitations, so the applicant understands the constraints before advancing further. He indicated that the analysis provides sufficient confidence that the rezoning is feasible as the applicant moves into more detailed planning.

Mr. Schuettepelz echoed concerns regarding trip generation and reliance on a single right-in/right-out access to Highway 24. He questioned the certainty of the future northern connection, noting that the intervening property is not under the applicant's control and may never be acquired or developed in a manner that provides the additional access. He raised additional concerns about increased left-turn movements on Woodmen Road, where the existing left-turn lane already experiences high demand, as well as the potential for additional U-turns on Woodmen Road and southbound Meridian Road. Mr. Schuettepelz also expressed concern regarding emergency access, stating that a single point of access for approximately 300 units would create challenges for both resident evacuation and inbound fire response. While acknowledging that the current request is limited to a rezoning, he indicated he would closely evaluate traffic and access conditions when any future development plan returns for consideration.

NO PUBLIC COMMENT OR APPLICANT REBUTTAL

PLANNING COMMISSION DISCUSSION: **Mr. Schuettepelz** stated that he preferred the higher-density RM-30 designation, noting it will allow the applicant flexibility to achieve greater density if additional access becomes available or to scale back if it does not. He indicated that the clarification regarding a practical unit threshold on the single access point provided greater comfort.

Mr. Bailey emphasized that the request is at an early stage and that the Commission should focus on the applicable rezoning criteria rather than projecting too far into future development details. He noted that compatibility is supported by the surrounding zoning pattern, that intermediate density options between RM-12 and RM-30 are not available, and that detailed access and traffic questions will be addressed at the development plan stage. He expressed support for the request.

Mr. Byers stated he was not opposed to the RM-30 zoning and considered it appropriate for the site. While he found the traffic study imperfect, he did not view that as a basis to deny the rezoning.

Mr. Whitney indicated that the clarification on the unit threshold for the single access point improved his comfort with the application.

PC ACTION: BAILEY MOVED / BYERS SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER P264 FOR A MAP AMENDMENT (REZONING), KYLE REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7 - 0).

IN FAVOR: (7) Bailey, Brewer, Byers, Schuettepelz, Trowbridge, Whitney, and Wulf.

IN OPPOSITION: (0) None.

5. REGULAR ITEMS

A. MP245

WERRE

MASTER PLAN

SOUTH POWERS EXTENSION PLANNING AND ENVIRONMENTAL LINKAGES STUDY

AND ACCESS CONTROL PLAN

The El Paso County Department of Public Works requests adoption of the South Powers Extension Planning and Environmental Linkages Study (PEL) and Access Control Plan (ACP) into the Your El Paso Master Plan. With adoption, these Plans will become the principal plan for further planning and development of South Powers Boulevard in El Paso County. The South Powers PEL and ACP are a critical step in creating an effective and efficient transportation infrastructure that meets future needs. The Plan will provide an updated vision for future transportation, a list of transportation improvements, and a long-term right-of-way preservation plan for South Powers Boulevard. (All Commissioner Districts).

STAFF & APPLICANT PRESENTATIONS

DISCUSSION: Mr. Bailey asked why no roadway connection was proposed with Marksheffel Road. **Mr. Scott Asher**, Associate Vice President with Wilson & Company, Inc, explained that the absence of a

connection is due to two primary factors. First, the spacing between Mesa Ridge Parkway and Marksheffel Road at the interchange is less than one mile, which is too tight and would create greater impacts on private properties along Marksheffel. Second, the long-term goal is for Marksheffel Road, as an expressway, to terminate at Mesa Ridge Parkway and utilize the Mesa Ridge interchange for access rather than continuing through. He also noted technical challenges associated with making a connection function effectively from a network connectivity and functional classification standpoint, identifying the roadway on the west side of the interchange as CNS Road, a minor arterial.

PUBLIC COMMENT: Mr. Eric Ecklund, property owner of Wedgewood Farms along Old Pueblo Road, spoke in opposition to Option E. He explained that the proposed alignment would cross directly through the only portion of his approximately 80-acre property that contains existing infrastructure, including the residence, wells, barn, and equipment. He noted that the property, originally part of the historic Lock Ranch, is split by Fountain Creek and is one of only two properties south of Fountain with land on both sides of the creek. Mr. Ecklund stated that he and neighboring property owners along the southern portion of Old Pueblo Road had submitted a petition requesting that Option E not be considered. He clarified that he is not opposed to the overall project and recognizes the need for improved connectivity but requested that the alignment be shifted approximately one mile farther south to an area without residences, across from Clear Spring Ranch, then across the creek and Colorado Springs Utilities land to I-25 south of the railroad interchange serving the Ray Nixon Power Plant. He further explained that the majority of his property lies within the floodplain and consists of wetlands, with only about three acres above the floodplain, precisely the area containing the home and infrastructure that would be impacted by Option E. Mr. Ecklund noted extensive efforts over the years, including construction of dikes and coordination with the Corps of Engineers, to make the land usable while remaining subject to periodic flooding. He indicated he is not opposed to a new I-25 overpass serving the industrial area on the west side, as that location is well removed from his property. He questioned the prioritization of preserving hiking trails on Clear Spring Ranch over private homes and businesses. Finally, Mr. Ecklund expressed concern that communication with the project team had largely ceased after April 2024, and that property owners only received notice of the current meeting approximately ten days prior.

Mr. Steve Mulliken, an attorney representing the Southern Colorado Rail Park, spoke in support of the proposed Powers Boulevard extension and southern connection to I-25. He stated that the project

represents important regional planning that will improve long-term safety and traffic flow in the area. Mr. Mulliken expressed confidence in the process and the consultant team, noting that Wilson & Company had been selected for the Rail Park's own traffic work based on their experience with the County, the City of Fountain, and the local area. He praised the outreach conducted to stakeholders, including the Rail Park and Pikes Peak International Raceway, and stated that the team had carefully evaluated impacts while selecting an appropriate alignment. He acknowledged that a project of this scale will inevitably affect some property owners and expressed sympathy for the concerns raised by Mr. Ecklund. Mr. Mulliken also commended County staff member Victoria Chavez for her fairness, competence, and commitment to long-term planning. On behalf of the Southern Colorado Rail Park, he indicated strong support for the plan and a desire to see it ultimately adopted.

PC ACTION: NO ACTION NEEDED AT THIS TIME. THE ITEM WILL BE HEARD AGAIN ON SEPTEMBER 17, 2026, FOR CONSIDERATION OF ADOPTION.

6. NON-ACTION ITEMS

A. U261 – FALCON FIRE PROTECTION DISTRICT TRAINING FACILITY COMPLEX - PARSONS & CHIEF HARWIG

This item was moved up and heard after the Consent items on the agenda.

MEETING ADJOURNED at 10:56 A.M.

Minutes Prepared By: Jessica Merriam

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

Bailey moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P264

KYLE REZONE

WHEREAS, Vertex Consulting Services, 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-30 (Residential Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by this Commission on July 16, 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;
4. All exhibits were received into evidence;

5. That changing conditions clearly require amendment to the Zoning Resolutions;
6. 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 Vertex Consulting Services, 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-30 (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-30 (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.

Byers seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Blaine Brew	aye / no / non-voting / recused / <u>absent</u>
Michael Brewer	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / <u>absent</u>
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Suzanne Casagrande	aye / no / non-voting / recused / <u>absent</u>
Mae Emrick	aye / no / non-voting / recused / <u>absent</u>
Eric Moraes	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent

Tim Trowbridge
Christopher Whitney
Jason Wulf

aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of 7 to 0 by the El Paso County Planning Commission,
State of Colorado.

DONE THIS 16th day of July 2026 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:

Chair



EXHIBIT A

TRACT IN W2 SEC 7-13-64 AS FOLS, BEG AT POI OF SELY LN OF EASTERN AVE WITH NELY LN 4TH ST, TOWN OF FALCON, TH NWLY ALG NELY LN OF 4TH ST 780 FT TO INTSEC WITH SELY R/W US HWY 24, ANG R 90< NELY 774.8 FT ALG SELY R/W LN, ANG R 90< SELY 20 FT, TH N 50<04' E ON SD R/W LN 239.50 FT, ANG S 0<14' E 1165.60 FT TO S LN OF NW4, TH S 89<54' W 183 FT, TH SWLY 108.8 FT M/L TO POB

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Timothy L. Trowbridge, Chair

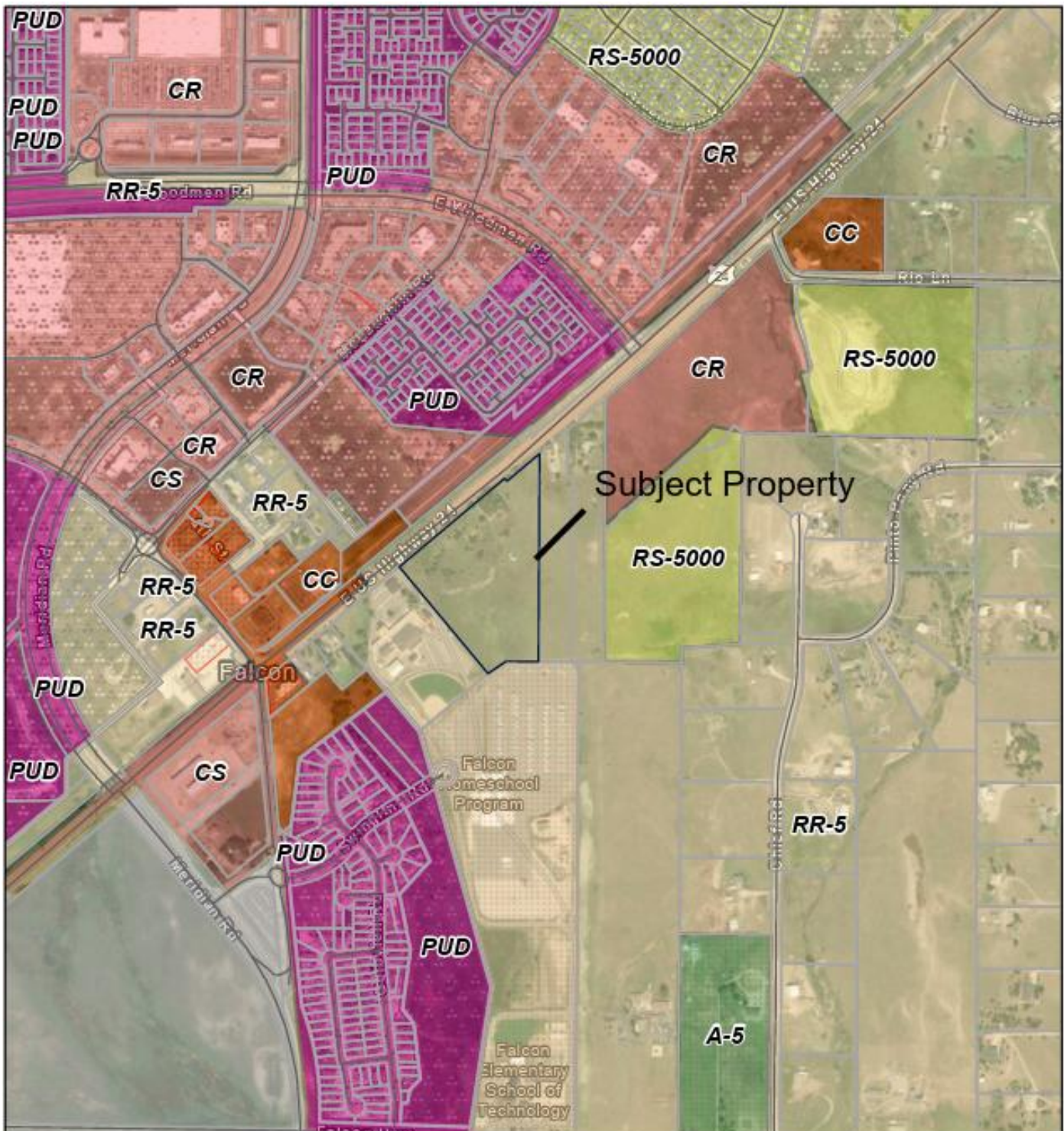
FROM: Kylie Bagley, Principal Planner
Jalal Saleh, PE, Senior Engineer

RE: Project File Number: P264
Project Name: Kyle Rezone
Parcel Number: 4307200007
Commissioner District: 2

OWNER:	REPRESENTATIVE:
James Kyle 213 Tonn Valley Evergreen, CO 80439	Vertex Consulting Services, LLC 5825 Delmonico Dr., Suite 320 Colorado Springs, CO 80919
Planning Commission Hearing Date: 7/16/2026	
Board of County Commissioners Hearing Date: 9/10/2026	

EXECUTIVE SUMMARY

A request by James Kyle for approval of a Map Amendment (Rezoning) of 13.28 acres from RR-5 (Residential Rural) to RM-30 (Residential Multi-Dwelling). The property is located at 12057 E Highway 24. (Parcel No. 4307200007) (Commissioner District No. 2)



Vicinity 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:	CR (Commercial Regional)	Highway; Trail
South:	RR-5 (Residential Rural)	School District – Transportation Center
East:	RR-5 (Residential Rural)	Rural Residential (to be redeveloped)
West:	RR-5 (Residential Rural)	Charter High School

D. BACKGROUND

This request is for a Map Amendment (Rezoning) from RR-5 (Rural Residential) to RM-30 (Residential Multi-Dwelling) to allow for a moderately dense multi-dwelling development. The RM-30 zoning district allows up to 30 dwelling units per acre. The subject property is situated next to the Patriot Applied Learning

Campus within the D49 Falcon School District and in proximity to commercial uses that serve the surrounding neighborhoods.

West of the subject property is zoned PUD (Planned Unit Development) and are developed with detached and attached single-family homes on lots with a minimum size of 12,000 square feet. Approximately 500 feet east of the subject property along Highway 24, the Preliminary Plan for The Commons at Falcon Field (PCD File No. SP232) was approved for a 57-acre development consisting of 169 single-family residential lots and eight commercial lots, with a net residential density of 8.9 dwelling units per acre. The Commons at Falcon Field is zoned RS-5000 (Residential Suburban), RM-12 (Residential Multi-Dwelling), and CR (Commercial Regional).

If this application is approved, a Final Plat and Site Development Plan will be required for proposed development within the RM-30 zoning district. The Final Plat will require a finding of water sufficiency and a public hearing.

E. ZONING DISTRICT COMPARISON

The applicant is requesting to rezone 13.28 acres to the RM-30 (Residential Multi-Dwelling) zoning district. The RM-30 (Residential Multi-Dwelling) zoning district is intended to accommodate moderate-density multi-dwelling development. The density and dimensional standards for the existing and proposed zoning districts are as follows:

	Existing Zoning District: RR-5 (Residential Rural)	Proposed Zoning District: RM-30 (Residential Multi-Dwelling)
Maximum Density	N/A	30 dwelling units per acre
Minimum Lot Size	5 acres	5000 sq ft
Minimum Width at Front Setback	200 ft	75 ft
Front Setback	25 ft	25 ft
Rear Setback	25 ft	15 ft
Side Setback	25 ft	15 ft

Maximum Lot Coverage	25%	60%
Maximum Height	30 ft	40 ft

F. MASTER PLAN COMPLIANCE

1. Your El Paso Master Plan

a. Placetype Character: Regional Center

The fundamental purpose of a Regional Center is to provide access to necessary and desired commercial goods and services in El Paso County through a unique mix of uses. This placetype differs from Rural Centers by providing a level of goods and services that attract people from across the County, and depending on location, from adjacent counties. Regional Centers often incorporate a lifestyle live-work-play environment and can include multifamily housing elements in their design as standalone apartments or part of mixed-use developments.

This placetype includes large scale shopping centers that house a variety of commercial businesses and support a high activity of users on a regular basis such as grocery stores, pharmacies, clothing stores, automotive centers, restaurants, entertainment opportunities, home improvement stores, and other major retailers. Multifamily apartments provide commercial businesses direct access to potential customers.

Regional Centers are major commercial destinations for residents and are easily accessible from major transportation routes throughout the County. Regional Centers in El Paso County are surrounded by Urban Residential, Suburban Residential, and Employment Center placetypes. In addition, Regional Centers can also be extensions of commercial areas within incorporated municipalities such as the Gleneagle area.

Recommended Land Uses:

Primary

- *Restaurant*
- *Commercial Retail*

- *Commercial Service*
- *Entertainment*
- *Multifamily Residential*

Supporting

- *Office*
- *Institutional*
- *Mixed Use*
- *Single-family Attached Residential*

Analysis:

The applicant's Letter of Intent does not identify a specific proposed use for the property. Instead, it states that, if the rezoning request is approved, the property owner would have the ability to develop the site with any use permitted by right within the RM-30 zoning district. The RM-30 (Residential Multi-Dwelling) zoning district is intended to accommodate moderate-density multi-dwelling development which is a primary use within the Regional Center Placetype.

b. Area of Change Designation: Transition

Transition areas are fully developed parts of the County that may completely or significantly change in character. In these areas, redevelopment is expected to be intense enough to transition the existing development setting to an entirely new type of development. For example, a failing strip of commercial development could be redeveloped with light industrial or office uses that result in a transition to an employment hub or business park. Another example of such a transition would be if a blighted suburban neighborhood were to experience redevelopment with significant amounts of multifamily housing or commercial development of a larger scale in line with a commercial center.

Analysis:

The property is currently undeveloped. If the rezoning is approved, the site could be developed with uses permitted by right within the RM-30 zoning district, resulting in a change from its current undeveloped condition.

c. Key Area Influences: Potential Areas for Annexation

A significant portion of the County's expected population growth will locate 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.

Analysis:

The applicant is not seeking annexation into the City of Colorado Springs currently due to the immediate lack of available utility services from Colorado Springs Utilities. Instead, the property is seeking inclusion into either Woodmen Hills Metropolitan District or Falcon Highlands Metropolitan district. Once the property is included in either district, it is intended to have the District supply water.

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.

3. Other Master Plan Elements

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

The Master Plan for Mineral Extraction (1996) identifies upland deposits and coal in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

There were no hazards identified as part of the rezoning application.

2. Floodplain

The property is not located within a floodplain as determined by the FEMA Flood Insurance Rate Map, Panel No. 08041C0561G, dated December 7, 2018. The property is in Zone “X,” which is an area of minimal flood hazard.

3. Drainage and Erosion

The property lies within the Falcon Drainage Basin (CHWS1400), which is part of the El Paso County Drainage Basin Fee Program. Drainage basin fees are not assessed for Map Amendment (Rezoning) requests. A drainage report and grading and erosion control plan is not required with a Map Amendment request but will be required with subsequent development applications.

4. Transportation

A traffic study was submitted for the proposed Map Amendment (Rezoning) request, as the development is expected to generate 2,167 daily vehicle trips. The parcel is proposed to have one right-in/right-out access point from CDOT Highway 24. Improvements consisting of auxiliary lanes along Highway 24 have been identified in the submitted traffic study. An access permit will be required by CDOT for this parcel at the time of Final Plat or Site Development Plan.

El Paso County Road Impact Fees, as established by Resolution 25-337, are applicable and will be assessed at the last land-use approval or when the applicant applies for a building permit.

H. SERVICES

1. Water

A finding of water sufficiency is not required with a Map Amendment. The applicant is working with central service providers to acquire services to the property. To construct a building on the property the property owner will be required to plat the property, and at that time water sufficiency will be required.

2. Sanitation

The applicant is working with central service providers to provide wastewater services which are also required for development in the RM-30 district.

3. Emergency Services

The property is within the Falcon Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no comments regarding the rezoning proposal.

4. Utilities

Mountain View Electric Association (MVEA) provides electrical service and Black Hills Energy provides natural gas services to the area.

5. Metropolitan Districts

The property is not currently 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 major outstanding 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 RM-30 (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.

K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 24 adjoining property owners on July 1, 2026 for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

L. ATTACHMENTS

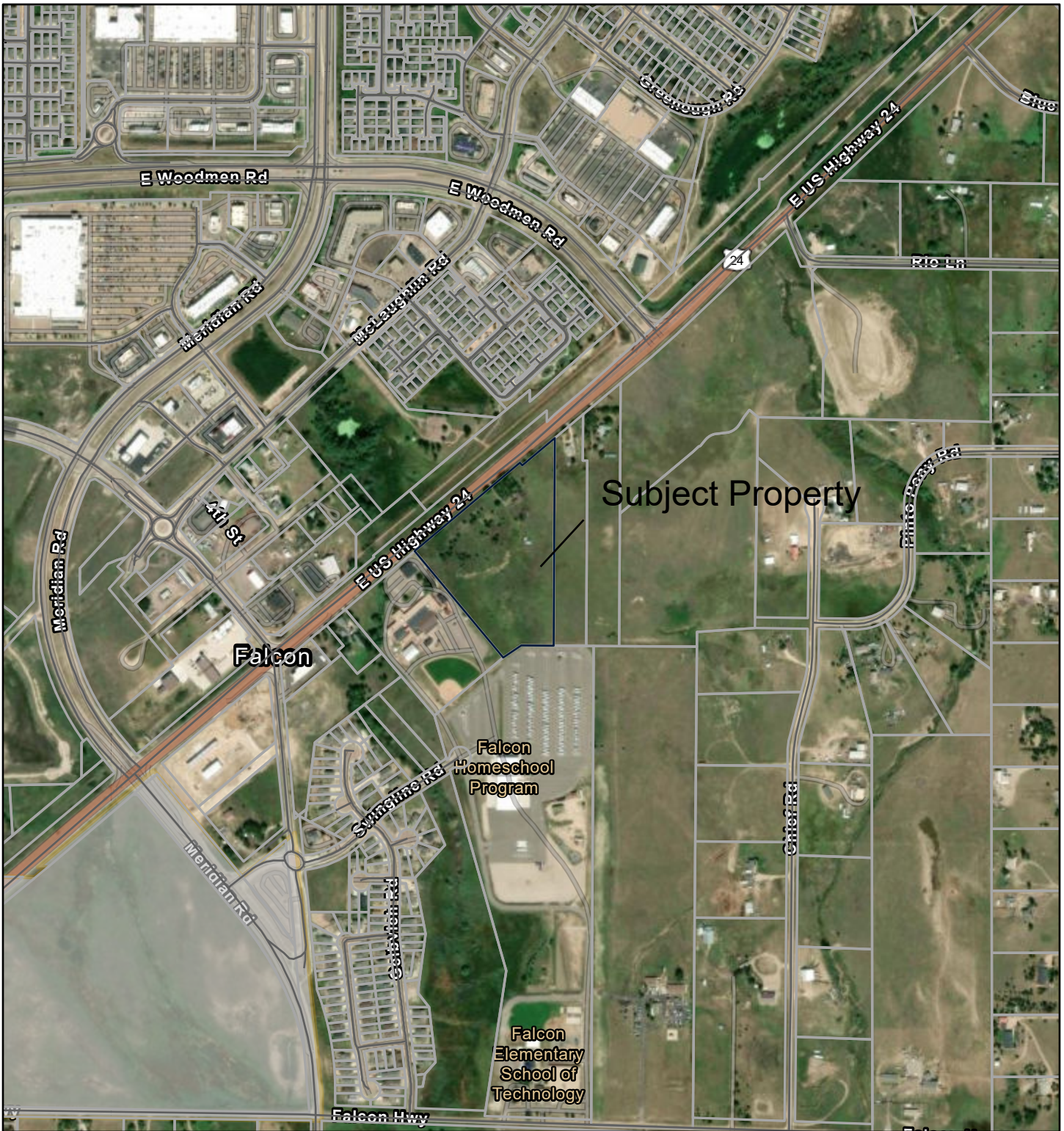
Vicinity Map

Letter of Intent

Rezone Map

Draft Resolution

Aerial Map



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-  Override 1
-  County Roads
-  Parcels
-  Incorporated Cities

World Imagery
BOCC Report Packet
Page 28 of 41

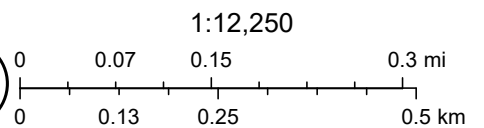
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

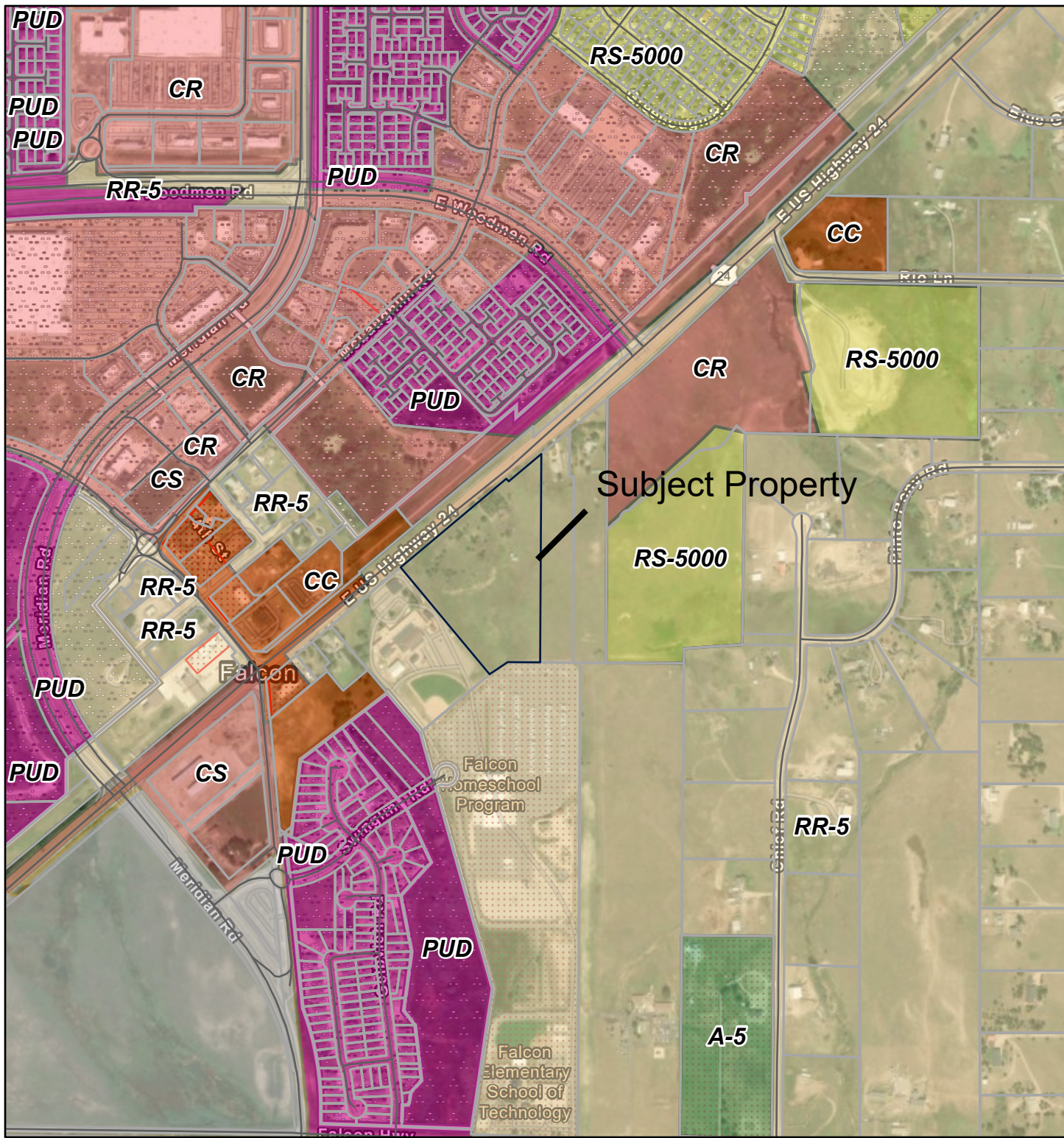
Citations

2.4m Resolution Metadata



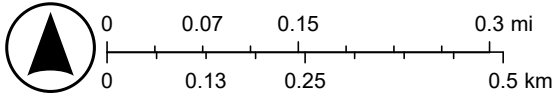
El Paso/Teller E-911. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Zoning Map



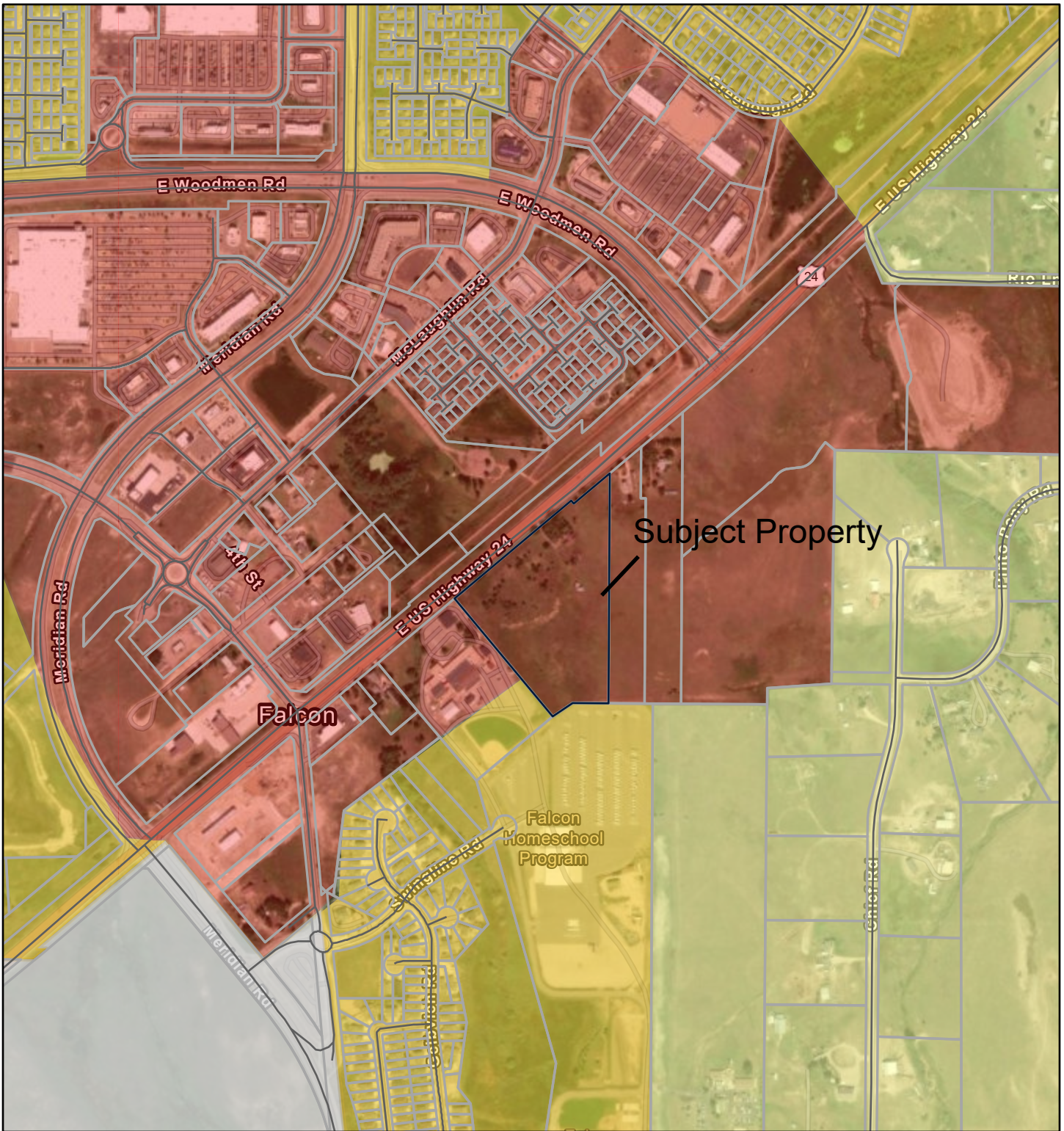
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- | | |
|---|-----------------------------------|
| Override 1 | RR-5: Residential Rural (5 acres) |
| County Roads | Initial Zoning |
| Parcels | Special Use |
| County Zoning | Sketch Plans |
| A-5: Agricultural (5 acres) | Incorporated Cities |
| CC: Commercial Community | World Imagery |
| CR: Commercial Regional | Low Resolution 15m Imagery |
| CS: Commercial Service | High Resolution 60cm Imagery |
| PUD: Planned Unit Development | High Resolution 30cm Imagery |
| RS-5000: Residential Suburban (5,000 sq. ft.) | Citations |
| RR-0.5: Residential Rural (0.5 acres) | 2.4m Resolution Metadata |



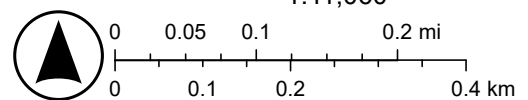
El Paso/Teller E-911, El Paso County Development Services, El Paso County Planning Department, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Placetypes Map



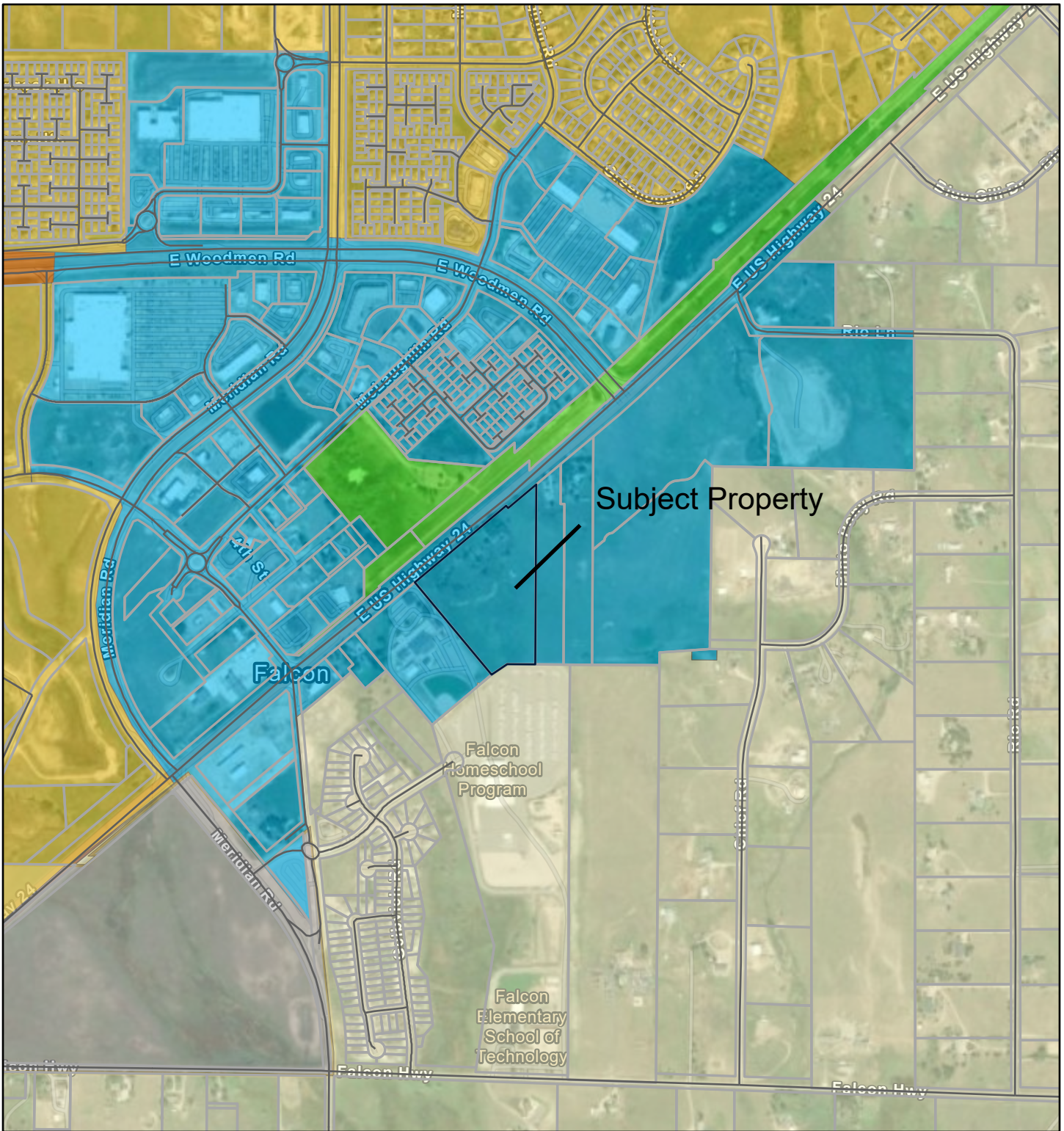
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- | | |
|-----------------------|------------------------------|
| Override 1 | Incorporated Cities |
| County Roads | World Imagery |
| Parcels | Low Resolution 15m Imagery |
| Placetypes | High Resolution 60cm Imagery |
| Large-Lot Residential | High Resolution 30cm Imagery |
| Suburban Residential | Citations |
| Incorporated Land | 2.4m Resolution Metadata |
| Regional Center | |



El Paso/Teller E-911, Created by Houseal Lavigne Associates (2021).
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Areas of Change Map

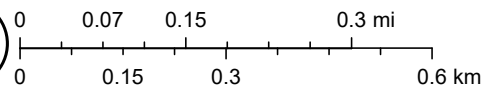


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1:14,133

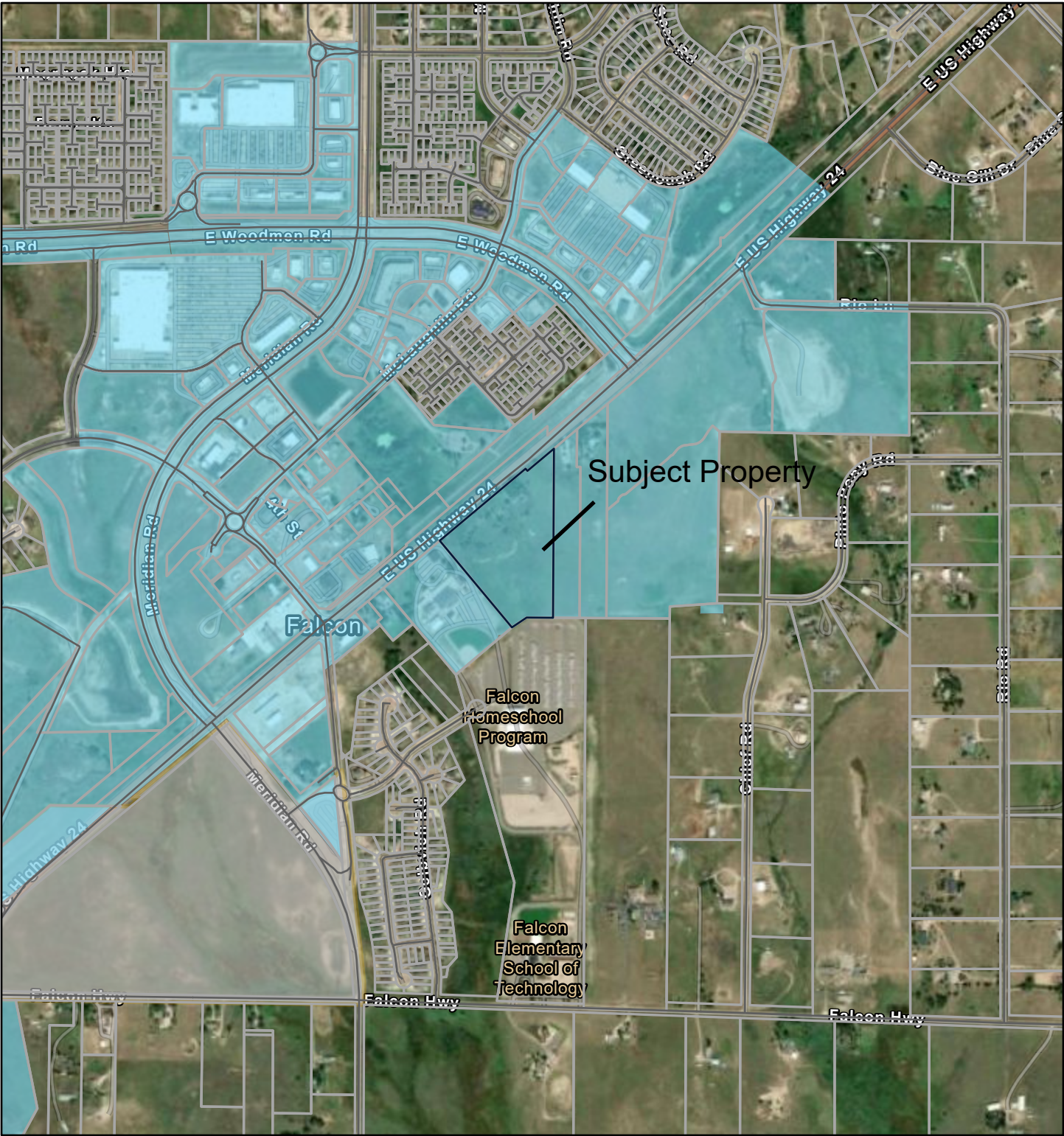
- | | |
|-----------------------------|----------------------------|
| Override 1 | New Development |
| County Roads | Transition |
| Parcels | Incorporated Cities |
| Areas Of Change | |
| Protected/Conservation Area | World Imagery |
| Minimal Change: Undeveloped | World Imagery |
| Minimal Change: Developed | Low Resolution 15m Imagery |

- High Resolution 60cm Imagery
 High Resolution 60cm Imagery
 High Resolution 30cm Imagery
 High Resolution 30cm Imagery
 Citations
 Citations



El Paso/Teller E-911. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

Key Areas Map



7/7/2026, 11:08:24 AM

- Override 1

County Roads

Parcels

KeyAreas

Potential Areas for Annexation

Incorporated Cities
- Low Resolution 15m Imagery

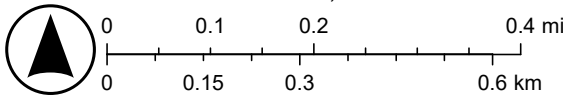
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

High Resolution 30cm Imagery



El Paso/Teller E-911. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

KYLE REZONE

Map Amendment (Rezoning)

Letter of Intent

December 11, 2025

JAMES KYLE
213 TONN VALLEY
EVERGREEN, CO 80439

PCD File No. P264

OWNER: JAMES KYLE
213 TONN VALLEY
EVERGREEN, CO 80439

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

PROPERTY LOCATION: 12057 E Hwy 24, South of Highway 24, east of Meridian Road

TAX SCHEDULE NO: 43072-00-007

ACREAGE: 13.28 acres proposed for RM-30 zoning

CURRENT ZONING: RR-5

PROPOSED ZONING: RM-30

UTILITY SERVICE:

Mountain View Electric Association (MVEA) provides electrical service and Black Hills Energy provides natural gas services to the area. Water will be provided by either Woodmen Hills or Falcon Highlands via inclusion into the district.

REQUEST:

This is a request for approval of a map amendment (rezone) of 13.28 acres to the RM-30 (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. However, that is not the case with this map amendment (rezoning) request, as identified below.

Chapter 3 Land Use

Key Area Analysis: “Potential Annexation ”

A portion of the property is located within the Potential Annexation Key Area. The Plan describes the key area as follows:

“A significant portion of the County’s expected population growth will 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. In this instance, the City of Colorado Springs identified at the time of the Early Assistance meeting that annexation was not being requested.

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. Centralized water and wastewater services can, however, still be provided to developments in the County via a special district(s). In this case either Woodmen Hills or Falcon Highlands will provide water and wastewater service to the development through inclusion into the district.

Even though annexation of the land is not being recommended by the City of Colorado Springs, 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 a 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 the City.

Area of Change Analysis: “Transition”

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

The Plan characterizes areas of “Transition” by stating:

“Transition areas are fully developed parts of the County that may completely or significantly change in character. **In these areas, redevelopment is expected to be intense enough to transition the existing development setting to an entirely new type of development.** For example, a failing strip of commercial development could be redeveloped with light industrial or office uses that result in a transition to an employment hub or business park. Another example of such a transition would be if a blighted suburban neighborhood were to experience redevelopment with significant amounts of multifamily housing or commercial development of a larger scale in line with commercial center.”

The transition area of change anticipates intense redevelopment, without the need to transition from one intensity to another. It recognizes that the future land use may not match the land use immediately adjacent. However, this is not the case with this particular rezoning request.

Immediately to the south are educational facilities including D49 K-12 schools and a D49 bus station. To the west is Pikes Peak Community College. Across Highway 24 is the Rock Island Trailhead. To the northwest is a commercial center primarily zoned CC (Commercial Community) which includes a library, restaurants, and medical offices. To the northeast is the Courtyards at Woodmen Hills PUD- a single-family residential development with lots less than 5,000 square feet. To the east is the Falcon Fields development which includes CR (Commercial Regional), RS-5000 (Residential Suburban), and RM-12 (Residential Multi-Family). The proposed rezoning is compatible with the existing and allowed land uses and zoning in all directions.

Placetype Analysis: “Regional Center”

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

The Plan identifies the following land uses as being Primary Land Uses within the Regional Center Placetype:

- Restaurant
- Commercial Retail
- Commercial Service
- Entertainment
- **Multifamily Residential**

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

- Office
- Institutional
- Mixed Use
- Single-family Attached Residential

The Regional Center Placetype is described further as follows:

“The fundamental purpose of a Regional Center is to provide access to necessary and desired commercial goods and services in El Paso County through a unique mix of uses. **This placetype differs from Rural Centers by providing a level of goods and services that attract people from across the County, and depending on location, from adjacent counties.** Regional Centers often incorporate a lifestyle live-work-play environment and can include multifamily housing elements in their design as standalone apartments or part of mixed-use developments.

This placetype includes large scale shopping centers that house a variety of commercial businesses and support a high activity of users on a regular basis such as grocery stores, pharmacies, clothing stores, automotive centers, restaurants, entertainment opportunities, home improvement stores, and other major retailers. **Multifamily apartments provide commercial businesses direct access to potential customers.**

Regional Centers are major commercial destinations for residents and are easily accessible from major transportation routes throughout the County. Regional Centers in El Paso County are surrounded by Urban Residential, Suburban Residential, and Employment Center placetypes. In addition, Regional Centers can also be extensions of commercial areas within incorporated municipalities such as the Gleneagle area.”

Multi-Family Residential is a recommended primary land use. There are existing commercial land uses in the immediate vicinity as well as other planned commercial centers not yet constructed. The proposed residential development will support this growing commercial center with new customers.

El Paso County Water Master Plan

The subject property is located within Planning Region 3 of the Water Master Plan, pursuant to Figure 3-1 on page 25, which includes Woodmen Hills and Falcon Highlands Water and Sanitation District along with several other central water providers. Table 5-3 of the Plan identifies that Region 3 has a current demand of 4,494 acre-feet per year and a current supply of 7,164 acre-feet per year, which results in current excess water supplies. Tables 5-4 and 5-5 project Region 3 as continuing to have excess water supplies at year 2040 and at full buildout (2060). A Water Resources Report is not required with a rezone application and, therefore, has not been provided.

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. Land dedication, or fees in lieu of land dedication are not required at the rezoning 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) identifies Highway 24 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.

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 rezoning to RM-30 is 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** – Across Highway 24 to the north is the Rock Island Trailhead. To the northwest is a commercial center primarily zoned CC (Commercial Community) which includes a library, restaurants, and medical offices. To the northeast is the Courtyards at Woodmen Hills PUD- a single-family residential development with lots less than 5,000 square feet.
- **South** – Immediately to the south are educational facilities including D49 K-12 schools and

a D49 bus station.

- **West** – To the west is the Pikes Peak Community College.
- **East**- To the east is the Falcon Fields development which includes CR (Commercial Regional), RS-5000 (Residential Suburban), and RM-12 (Residential Multi-Family).

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-30 zoning district:

- Maximum Density: 30 DU/ac
- Minimum Lot Size: 5,000 sq ft ^{1, 2}
- Front Setback: 25 ft ^{2, 3}
- Side Setback: 15 ft ^{2, 3}
- Rear Setback: 15 ft ^{2, 3}
- Maximum Lot Coverage: 60%
- Maximum Height: 40 ft

¹ Minimum lot area of 5,000 square feet applies to single-family detached dwellings, Two-family dwellings and the first 2 units of a multi-family development. An additional 1,000 square feet of lot area is required each additional dwelling unit within a multi-family development. The maximum multi-family density may not exceed 30 dwelling units per acre. All other uses are subject to a minimum lot area of 7,000 square feet. Central water and wastewater services are required regardless of lot size or conforming status.

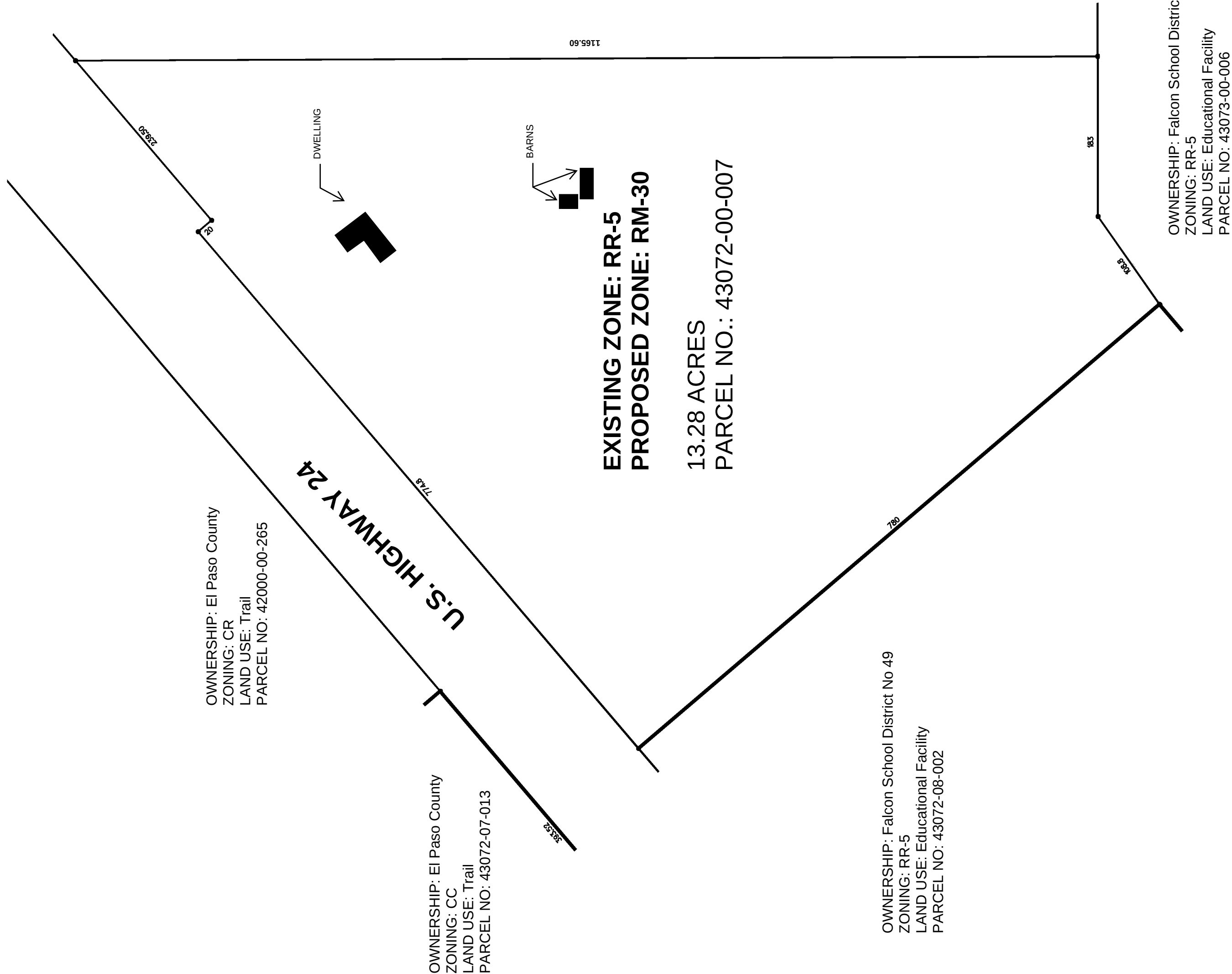
² If the building is established as or converted to condominium or townhome units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area and setbacks requirements, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or 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 property proposed for RM-30 zoning can be readily developed pursuant to the RM-30 zoning without requiring deviations or variances from the density and dimensional standards identified above.

KYLE ZONING MAP

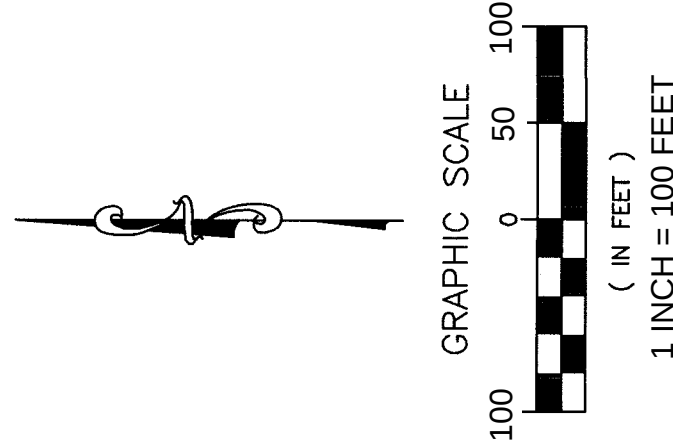
Section 7, Township 13, Range 64 West of the 6th P.M., County of El Paso, State of Colorado



OWNERSHIP: Alejandro Flores
ZONING: RR-5
LAND USE: Residential
PARCEL NO: 43072-00-006

EXISTING ZONE: RR-5
PROPOSED ZONE: RM-30

13.28 ACRES
PARCEL NO.: 43072-00-007



OWNERSHIP: Falcon School District No 49
ZONING: RR-5
LAND USE: Educational Facility
PARCEL NO: 43073-00-006

OWNERSHIP: Falcon School District No 49
ZONING: RR-5
LAND USE: Educational Facility
PARCEL NO: 43072-08-002

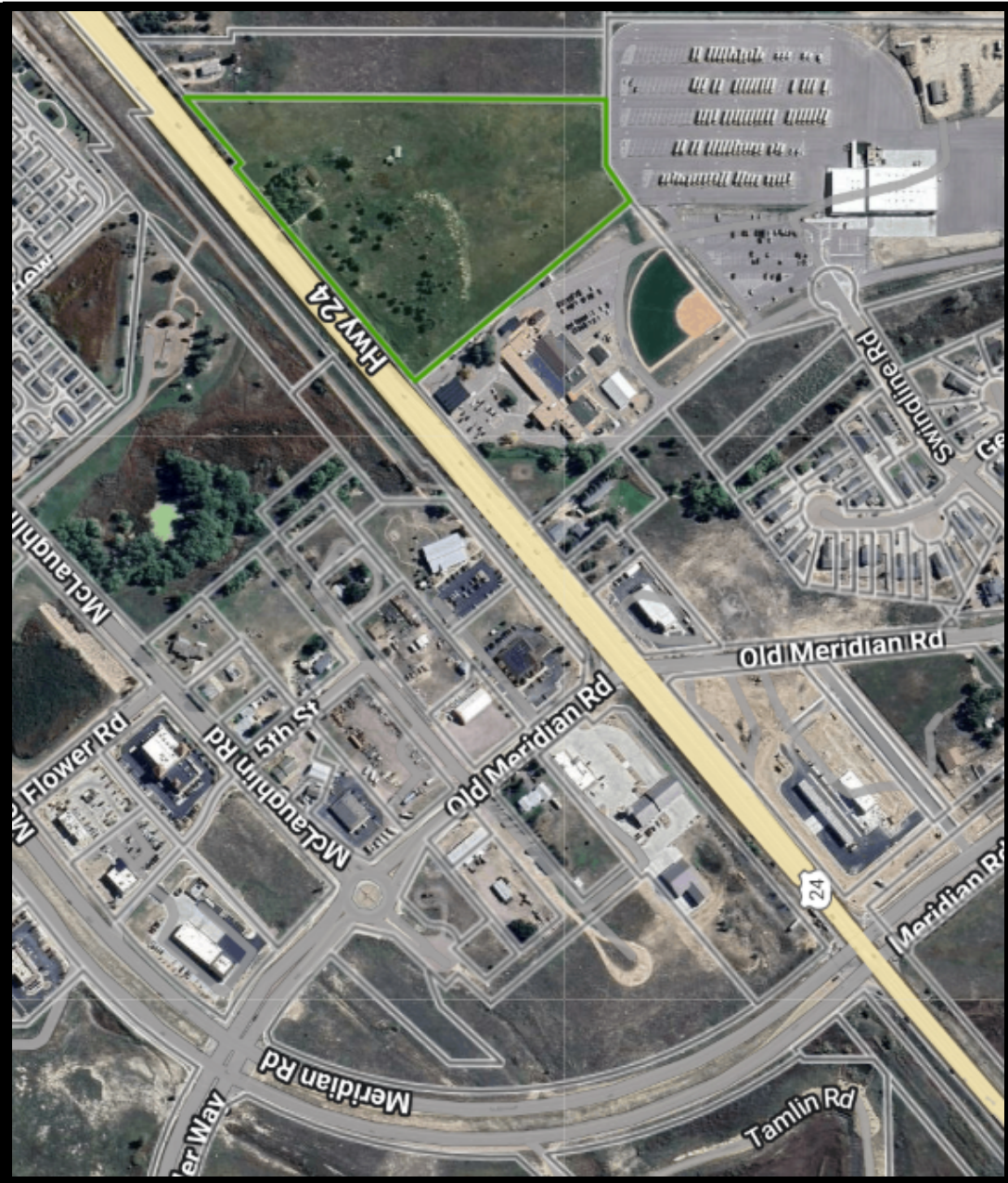
ALONG SAID SOUTHWESTERLY LINE OF SECTION 7, TOWNSHIP 13 SOUTH, RANGE 10 WEST TO THE POINT OF BEGINNING, TOGETHER WITH THAT PORTION OF THE WEST HALF OF SECTION 7, TOWNSHIP 13 SOUTH, RANGE 10 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF EASTERN AVE. WITH THE SOUTHWESTERLY LINE OF 4TH ST., NORTH-AS PLATTED IN THE ORIGINAL TOWN OF FALCON, EL PASO COUNTY, COLORADO, RUN THENCE NORTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID 4TH ST., 76.8 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF WAY LINE OF U. S. HIGHWAY 24; THENCE RIGHT OF WAY LINE OF U. S. HIGHWAY 24; THENCE ANGLE RIGHT 90 DEGREES NORTHWESTERLY, 774.8 FEET ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, THENCE ANGLE RIGHT 90 DEGREES SOUTHWESTERLY 20 FEET, THENCE ANGLE RIGHT 40 DEGREES 10 MINUTES SOUTHERLY, 1612 FEET, THENCE RUN SOUTHWESTERLY 108.8 FEET MORE OR LESS TO THE POINT OF BEGINNING

COUNTY OF EL PASO, STATE OF COLORADO

LEGAL DESCRIPTION

A TRACT OF LAND IN THE NORTH QUARTER OF SECTION 7, TOWNSHIP 13 SOUTH RANGE 64 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 24 WITH THE NORTHEASTERLY LINE OF THE ORIGINAL TOWN OF ALCON, EL PASO COUNTY, COLORADO; THENCE NORTH 0° DEGREES 54 MINUTES EAST ALONG SAID RIGHT OF WAY LINE 774.80 FEET TO A POINT; THENCE ANGLE RIGHT 90° 00' FEET ALONG SAID RIGHT OF WAY LINE 39 DEGREES 36 MINUTES EAST TO A POINT WHERE SAID RIGHT OF WAY LINE MEETS THE SOUTHERLY RIGHT OF WAY LINE OF THE TRACT BEING HEREIN REFERRED TO; THENCE 10 DEGREES 44 MINUTES WEST ALONG THE EASTERLY LINE OF TRACT CONVEYED TO EARL E. HELTZEL AND GEORGIA ANN HELTZEL, RECORDED IN BOOK 1559 AT PAGE 329 OF THE RECORDS OF THE COUNTY CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, A DISTANCE OF 1,912.30 FEET TO A POINT, THE S NORTH 99 DEGREES 54 MINUTES EAST 183 FEET TO A POINT; THENCE NORTH 0° DEGREES 54 MINUTES EAST 1165.60 FEET TO A POINT ON THE SOUTHEASTERNLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 24; THENCE SOUTH 50° DEGREE OF MAY LINE 239.50 FEET TO THE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF THE WEST HALF OF SECTION 7, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHEASTERNLY LINE OF EASTERN AVE. WITH THE ORIGINAL TOWN OF FALCON, EL PASO COUNTY, COLORADO, RUN THENCE NORTHEASTERLY ALONG THE NORTHEASTERNLY LINE OF SAID 4TH ST. 780 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERNLY RIGHT OF WAY LINE OF U.S. HIGHWAY 774.80 FEET ALONG SAID RIGHT OF WAY LINE 39 DEGREES 36 MINUTES EAST TO A POINT; THENCE ANGLE RIGHT 90° DEGREES SOUTHEASTERLY ALONG SAID LINE 39 DEGREES 36 MINUTES EAST 10 FEET THENCE ANGLE RIGHT 90° DEGREES SOUTHEASTERLY 1012 FEET, THENCE RUN SOUTHEASTERLY 108.8 FEET MORE OR LESS TO THE POINT OF BEGINNING TO THE COUNTY OF EL PASO, STATE OF COLORADO

VICINITY MAP

[illegible]

OWNER

JAMES KYLE
213 TONN VALLEY
EVERGREEN, CO 80439
719-640-5977
DOWNTOWNFALCON@YAHOO.COM

APPLICANT/PREPARER:

VERTEX

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

PROJECT NO.

P264

DATE 12/11/25

APPROVED

RESOLUTION NO. 26-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF MAP AMENDMENT (REZONING)
KYLE REZONE (P264)

WHEREAS, James Kyle did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the RR-5 (Residential Rural) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on July 16, 2026, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on September 10, 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, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. That the application was properly submitted for consideration by the Board of County Commissioners;
2. That proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners;
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters, and issues were submitted and reviewed, and that all interested persons were heard at those hearings;
4. That all exhibits were received into evidence;
5. That the proposed land use does not permit the use of any 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. That changing conditions clearly require amendment to the Zoning Resolutions;
7. That for the above-stated and other reasons, the proposed Amendment to 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; and

WHEREAS, this Board further finds that the request meets the criteria for approval outlined in Section 5.3.5.B of the Land Development Code (as amended):

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 Board of County Commissioners hereby approves the petition of James Kyle to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the RR-5 (Residential Rural) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district.

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

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-30 (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.

DONE THIS 10th day of September, 2026, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

TRACT IN W2 SEC 7-13-64 AS FOLS, BEG AT POI OF SELY LN OF EASTERN AVE WITH NELY LN 4TH ST, TOWN OF FALCON, TH NWLY ALG NELY LN OF 4TH ST 780 FT TO INTSEC WITH SELY R/W US HWY 24, ANG R 90< NELY 774.8 FT ALG SELY R/W LN, ANG R 90< SELY 20 FT, TH N 50<04' E ON SD R/W LN 239.50 FT, ANG S 0<14' E 1165.60 FT TO S LN OF NW4, TH S 89<54' W 183 FT, TH SWLY 108.8 FT M/L TO POB