

## TOWN OF PALMER LAKE MEMO

**Date:** Wednesday, October 15, 2025

**Through:** Glen Smith, Interim Town Administrator, Town of Palmer Lake (TOPL)

**To:** TOPL Planning Commission, Doug Allen, and Calvin Berstler, on behalf of Owner Tri Lakes Developers, applicant

**CC:** Erica Romero, Town Clerk, Town of Palmer Lake  
Mike Davenport, Community Matters Institute, Contract Town Planner  
Scott Krob, Town Attorney, Town of Palmer Lake  
Mark Morton, PE, GMS, Inc., Consulting Engineers, Town of Palmer Lake  
John Chavez, Chavez Consulting Inc., LLC, Stormwater Consultant

**From:** Barb Cole, Founder/Executive Director, Community Matters Institute

**Re:** **Brook Street Rezoning from Obsolete PUD to R-3-Recommend Approval**

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This application was deemed complete for both the rezoning and minor subdivision and was sent out for referral on September 25, 2025. No comments were received regarding the rezoning to R-3; however, there are comments regarding required easements and the need to ensure that the Water Department has the necessary easement to reach the tank. The property was previously zoned PUD, but the required files to allow a past PUD to move forward were never completed. Per Code, the following is required (Code sections are in italics):

### **Sec. 17.1.90 Expiration of Land Use Approvals.**

*(a) Approval by the Board of Trustees of any Planned Development District PD plan, Final PD development plan (FDP), subdivision plat, conditional review use, site plan, or any other land use approval that does not constitute an amendment to the Official Zoning Map shall remain in effect for three (3) years unless a longer vesting period is granted by the Board of Trustees.*

### **Sec. 17.2.162 Effective date and establishment of a planned development district (PD).**

*Existing PDs shown on the official zoning map. Planned developments without a planned development plan (PDP) or final development plan (FDP) recorded at the El Paso County Clerk and Recorder's Office are required to initiate a new planned development zoning application.*

This PUD was not recorded, and there is no evidence of any ordinance rezoning this parcel to PUD. No development plan, neither a Planned Development Plan nor a Final Development Plan, was ever submitted. Thus, the applicant was advised that a PD was not possible because all new zone districts, including PD must be 5 acres or more.

**DRT Recommendation in May 2025:** The applicant was advised to rezone the parcel to R-3, which is consistent with the surrounding land all of which is zoned R-3. The attached rezoning exhibit shows the rezoning of this property to R-3.

**Recommendation:** The Town Planning Consultant and Development Review Team recommends approval of this rezoning to R-3. A copy of the rezoning exhibit meeting Code requirements follows.

**Resubdivision:** The applicant is also seeking to re-subdivide the property into 4 lots for 4 single-family dwellings. The applicant, GMS, and the DRT are working to create the necessary easements based on referral comments and the need for access.



