

Memo

Date: October 24, 2025

To: Douglas County Board of County Commissioners

Through: Douglas J. DeBord, County Manager

From: Terence T. Quinn, AICP, Director of Community Development

CC: Mike Pesicka, Principal Planner
Curtis J. Weitkunat, AICP, Long Range Planning Manager
Steven E. Koster, AICP, Assistant Director of Planning Services

Subject: **Pinery Planned Development 31st Major Amendment – Supplemental Information**

Project File: ZR2023-002

Planning Commission Hearing:	August 19, 2024 @ 7:00 p.m.
Board of County Commissioners Hearing: continued	September 24, 2024 @ 2:30 p.m.
Board of County Commissioners Hearing: continued	November 19, 2024 @ 2:30 p.m.
Board of County Commissioners Hearing: continued	December 10, 2024 @ 2:30 p.m.
Board of County Commissioners Hearing: tabled	January 28, 2025 @ 2:30 p.m.
Board of County Commissioners Hearing: tabled	July 22, 2025 @ 2:30 p.m.
Board of County Commissioners Hearing:	October 28, 2025 @ 2:30 p.m.

Attached are additional emails and letters from the public relating to the Planned Development Amendment request being heard by the Board of County Commissioners on Tuesday, October 28th at 2:30 p.m.

Attachments

- Email from a citizen.
- Letter from the attorney for the Community Interest Group to the applicant's attorney.

From: [Sheldon Irish](#)
To: [BOCC](#)
Cc: [Michael Pesicka](#); [Jonah Hunt](#); [Sheldon Irish](#)
Subject: Project ZR2023-002 Pinery 40 LLC - 38 lot offer response from the community
Date: Wednesday, October 15, 2025 7:44:37 AM
Attachments: [Letter to K. Decker - 9-26-25.pdf](#)

Douglas County Board of County Commissioners (BOCC)
Attn: Commissioners Abe Laydon, George Teal, and Kevin Van Winkle

At the 22 July BOCC land use meeting you instructed Pinery 40 LLC and our community to meet to pursue a compromise land use agreement regarding project ZR2023-002, their 47 acre parcel. As part of your instruction, you also mentioned Pinery 40 LLC should obtain community support for the project.

In the spirit of achieving your request, our community established a small team (Community Interest Group / CIG), consisting of representatives from the surrounding HOAs (Pinery South 8b, and Timbers HOA's 22 and 23) along with a Colorado Horse Park partner. The CIG representation covered 100% of the surrounding properties adjacent to the 47 acre parcel. The CIG team approach provided a one stop meeting environment for Pinery 40 LLC. We reached out to Pinery 40 LLC, telling them about our small team and requested to meet with them.

At our first meeting with Pinery 40 LLC on August 7th, we were surprised they brought a land use attorney, Kristin Decker with them. We were provided no advance notice of her participation during our meeting prep communications, and in fact, they introduced her as their "note taker". We understood Ms. Decker to be their attorney when she identified herself during the group introductions. Since Pinery 40 LLC retained an attorney to speak for them in the future and attend meetings, we felt it necessary to obtain our own attorney, Mr. Jonah Hunt of Cavanaugh, Holmes & Hunt, LLC..

Attached is our attorney's response to Pinery 40 LLC's offer of 38 lots. It clearly spells out our middle ground offer, and that we didn't support their current offer. Unfortunately this is where our good faith attempt at communicating with Pinery 40 LLC ended up. Attorney to Attorney.

Please include the attached letter with the Project ZR2023-002 files

Thank You

Sheldon Irish
Community Interest Group (CIG) Spokesman and homeowner

September 26, 2025

Via Email: kdecker@ottenjohnson.com

Kristin A. Decker, Esq.
Otten Johnson Robinson Neff + Ragonetti PC
950 17th Street, Suite 1600
Denver, Colorado 80202

Re: Opposition to Pinery 40 Rezoning Application
Our File No.: 3787.0002

Dear Kristin:

We represent the Community Interest Group (“CIG”), which is composed of three homeowner associations [Timbers at The Pinery Filing No. 22 Homeowners Association, Inc. (133 owners), Timbers at The Pinery Filing No. 23 Homeowners Association, Inc. (161 owners), The Pinery 8B Homeowners' Association (158 owners)], and the Colorado Horse Park.

A metropolitan district (High Prairie Farms Metropolitan District; which boundaries include 22 separate residential filings and subdivisions within the Pinery), also participated in CIG discussions and negotiations on topics relevant to its concerns, i.e. the Pinery 40 private equine boarding facility proposal.

The CIG entities own and manage property immediately adjacent and contiguous to Pinery 40's 47 acre parcel. Stated differently, there is no entity or owner which is adjacent to the Pinery 40's parcel which is *not* a member of the CIG.

At the July 2025 BOCC land use meeting, the parties were directed to discuss a middle ground density between 15 and 45 lots. CIG met this obligation.

At the parties' August 14, 2025 meeting, CIG provided feedback on Pinery 40's 42 lot proposal; specifically, that the four equestrian estate 2.3 acre lots reflected on the conceptual map was not enough to maintain the existing equestrian community character. Knowledgeable equestrians have opined that four equestrian lots are insufficient to provide a viable equestrian social environment.

CIG provided five specific comments regarding the conceptual map that, if implemented, would create an appropriate middle-ground compromise that the community could support, which counteroffer consisted of:

- 1) ten equestrian estate lots;

- 2) twenty ½ acre custom home sites;
- 3) restoration of meaningful open space;
- 4) revised street layouts to support the density reduction; and
- 5) mitigation of safety concerns on S. Pinery Drive.

This offer also did not come easily, as it represents twice the number of permitted lots under current zoning. Nonetheless, independent review by a licensed professional engineer of the conceptual map confirmed that such a design is feasible.

Unfortunately, Pinery 40 did not meet its obligations. It repeatedly mischaracterized results from brainstorming sessions, and/or by treating them as formal offers of the CIG. It also interjected legal counsel into the negotiations in a surreptitious manner, forcing CIG to formally retain counsel. More importantly, ultimately it only reduced its lot number from 43 to 38; hardly the compromise contemplated by the BOCC.

As the positions appear irreconcilable, my client will oppose Pinery 40's rezoning request at the upcoming hearing by recommending that the BOCC reject the proposed amendment.

Sincerely,



Jonah G. Hunt
ORTEN CAVANAGH HOLMES & HUNT, LLC

JGH/sb
c. Client
Douglas County