

MAP AMENDMENT (REZONING) – PLANNED UNIT DEVELOPMENT (PUD)
(RECOMMEND DENIAL)

Commissioner Trowbridge moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP-20-008

Meadowbrook Park

WHEREAS, Meadowbrook Crossing, LLC, Colorado Springs Equities, LLC and Meadowbrook Development, LLC did file an application with the El Paso County Planning and Community Development Department to amend the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference to the PUD (Planned Unit Development) zoning district; and

WHEREAS, a public hearing was held by this Commission on August 5, 2021; 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. That 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, all pertinent facts, matters, and issues were submitted and reviewed, and all interested persons were heard at that hearing.
4. That all exhibits were received into evidence.
5. The proposed PUD (Planned Unit Development) District zoning is not in general conformity with the Master Plan for El Paso County, Colorado.

6. The proposed PUD District zoning does advance the stated purposes set forth in Chapter 4, Section 4.2.6, of the El Paso County Land Development Code.
7. There has been a substantial change in the character of the area since the land was last zoned.
8. The proposed development is in compliance with the requirements of the Land Development Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.
9. The subject property is not suitable for the intended uses and the use is not compatible with both the existing and allowed land uses on the neighboring properties, will not be in harmony and responsive with the character of the surrounding area and natural environment; and will have a negative impact upon the existing and future development of the surrounding area.
10. The proposed development does not provide adequate consideration for any potentially detrimental use-to-use relationships (e.g. commercial use adjacent to single-family use) and does not provide an appropriate transition or buffering between uses of differing intensities both on-site and off-site.
11. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.
12. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
13. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed.
14. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy-efficient site design.
15. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is not warranted by virtue of the design and amenities incorporated in the development plan and development guide.
16. The owner has authorized the application.
17. For the above-stated and other reasons, the proposed zoning is not in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends denial of the application to amend the EL Paso County Zoning Map to rezone rezone property to the PUD (Planned Unit Development) zoning district .

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Commissioner Trowbridge seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Brittain Jack	aye
Commissioner Trowbridge	aye
Commissioner Fuller	nay
Commissioner Lucia-Treese	nay
Commissioner Carlson	nay
Commissioner Blea-Nunez	nay

The Resolution was adopted by a vote of 4 to 4 by the El Paso County Planning Commission, State of Colorado.

DATED: August 5, 2021

X 

Brian Risley, Chair

EXHIBIT A

LEGAL DESCRIPTION

THAT PORTION OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 8 TOWNSHIP 14 SOUTH, RANGE 65 WEST, OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO:

BEING, TRACT A, 24/94 BUSINESS PARK FIL NO 1;

AND

TRACT I, MEADOWBROOK CROSSING FILING NO 1, AS AMENDED BY AFFIDAVIT OF CORRECTION REC #218068301;

AND

THAT TRACT OF LAND LOCATED IN THE SOUTHEAST ¼ OF SECTION 8 TOWNSHIP 14 SOUTH, RANGE 65 WEST, OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO:

COMMENCING AT A POINT ON THE NORTH BOUNDARY LINE OF THE SOUTHEAST ¼ OF SAID SECTION 8; BEARINGS ARE BASED ON SAID NORTH BOUNDARY LINE, S89°33'00"E, A DISTANCE OF 2023.0 FEET; THENCE S89°33'00"E, A DISTANCE OF 598.6 FEET; THENCE LEAVING SAID NORTH LINE, S33°35'00"W, A DISTANCE OF 508.5 FEET; THENCE, S56°25'00"E, A DISTANCE OF 30.0; THENCE S37°48'00"W, A DISTANCE OF 375.0 FEET; THENCE, S17°06'00"W, A DISTANCE OF 148.2 FEET; THENCE N02°16'00"W, A DISTANCE OF 417.0 FEET; THENCE N06°38'00"E, A DISTANCE OF 358.0 FEET; THENCE N17°04'00"E, A DISTANCE OF 15.7 FEET, TO THE POINT OF BEGINNING.

EXCEPT THAT PT PLATTED TO CLAREMONT BUSINESS PARK FILING NO 2., AND THAT PART CONVEYED TO D.O.T. FOR R/W BY REC # 205077959.

SAID DESCRIPTION TO CONTAIN 8.01 ACRES, MORE OR LESS.