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MR  
Londonberry  
Completion  
date deadline

RESOLUTION NO. 12-173

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

APPROVE REZONE FROM THE PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO THE PUD DISTRICT (PLANNED UNIT DEVELOPMENT)-(PUD) (PUD-11-003)

WHEREAS, GTL Development, Inc., did file a petition with the Development Services Department of El Paso County to Rezone the herein described property in El Paso County from the Planned Unit Development (PUD) Zone District to the PUD (Planned Unit Development) Zone District; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on April 17, 2012, upon which date the Planning Commission did by formal resolution recommend approval of the subject Zone change petition with; and

WHEREAS, a public hearing was held by this Board on May 24, 2012; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations of the El Paso County Planning Commission, comments of the El Paso County Development Services Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and Board of County Commissioners of El Paso County.
2. That the hearings before the Planning Commission and Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested parties were heard at those hearings.
3. That the proposed PUD (Planned Unit Development) District zoning is in general conformity with the Master Plan for El Paso County, Colorado.
4. That the proposed PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the El Paso County Land Development Code.
5. That there has been a substantial change in the character of the area since the land was last zoned.

6. That 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.
7. That the subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area.
8. That the proposed development provides adequate consideration for any potentially detrimental use-to-use relationships (e.g. commercial use adjacent to single-family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site.
9. That 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.
10. That the areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
11. That open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
12. That 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.
13. That 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.

14. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner.
15. That any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide.
16. That the owner has authorized the application.
17. For the above-stated and other reasons, the proposed zoning is 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 the Board of County Commissioners of El Paso County, Colorado, hereby approves the petition of GTL Development Inc., for a Zone change from the Planned Unit Development (PUD) Zone District to the PUD (Planned Unit Development) Zone District for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

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

**STAFF RECOMMENDED CONDITIONS OF APPROVAL**

1. Development of the property shall be in accordance with the approved PUD Zoning and Concept Plan (ZCP). The overall cap for residential uses in the entire Meridian Ranch development shall be a maximum of three-thousand eight-hundred (3,800) residential dwelling units.
2. Applicable park, school, transportation, drainage and bridge fees shall be paid to the El Paso County Development Services Department at the time of recording any final plat.
3. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act.

4. The construction of Londonderry Drive from Rainbow Bridge Trail to Falcon High School shall be completed by or before August 1, 2014.

**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.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 24 day of May 2012, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST  
EL PASO COUNTY  
By:   
County Clerk & Recorder

By:   
Chair

Resolution No. 12-173  
EXHIBIT A

A PARCEL OF LAND LOCATED IN SECTIONS 19, 20, 21, 28, 29, AND 30, ALL IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 20, THE POINT OF BEGINNING OF THIS DESCRIPTION;

1. THENCE S89°25'43"E ON THE NORTH LINE OF SAID SECTION 20 A DISTANCE OF 5267.74 FEET TO THE NORTHEAST CORNER OF SECTION 20;
2. THENCE S89°25'52"E ON THE NORTH LINE OF SECTION 21 A DISTANCE OF 2440.93 FEET TO THE NORTHEAST CORNER OF MERIDIAN RANCH;
3. THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 670.00 FEET, A DELTA ANGLE OF 13°54'23", AN ARC LENGTH OF 162.62 FEET, WHOSE LONG CHORD BEARS S03°23'29"W A DISTANCE OF 162.22 FEET;
4. THENCE S10°18'59"W A DISTANCE OF 274.70 FEET;
5. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1370.00 FEET, A DELTA ANGLE OF 09°29'38", AN ARC LENGTH OF 227.01 FEET, WHOSE LONG CHORD BEARS S15°04'14"W A DISTANCE OF 226.75 FEET;
6. THENCE S19°49'07"W A DISTANCE OF 1863.37 FEET;
7. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1270.00 FEET, A DELTA ANGLE OF 12°00'46", AN ARC LENGTH OF 266.27 FEET, WHOSE LONG CHORD BEARS S25°49'46"W A DISTANCE OF 265.78 FEET;
8. THENCE S31°50'10"W A DISTANCE OF 1517.63 FEET;
9. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1830.00 FEET, A DELTA ANGLE OF 39°00'58", AN ARC LENGTH OF 1246.15 FEET, WHOSE LONG CHORD BEARS S12°18'47"W A DISTANCE OF 1222.22 FEET;
10. THENCE S07°10'13"E A DISTANCE OF 777.37 FEET;
11. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1570.00 FEET, A DELTA ANGLE OF 26°18'46", AN ARC LENGTH OF 721.02 FEET, WHOSE LONG CHORD BEARS S05°58'16"W A DISTANCE OF 714.70 FEET;
12. THENCE N67°10'55"W A DISTANCE OF 1793.07 FEET;
13. THENCE S89°19'41"W A DISTANCE OF 825.40 FEET;
14. THENCE S67°31'44"W A DISTANCE OF 80.00 FEET;
15. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1710.00 FEET, A DELTA ANGLE OF 37°15'49", AN ARC LENGTH OF 1112.13

FEET, WHOSE LONG CHORD BEARS S03°50'21"E A DISTANCE OF 1092.64 FEET;

16. THENCE S14°47'33"W A DISTANCE OF 216.42 FEET;

17. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2940.00 FEET, A DELTA ANGLE OF 24°43'54", AN ARC LENGTH OF 1269.06 FEET, WHOSE LONG CHORD BEARS S63°37'16"W A DISTANCE OF 1259.23 FEET;

18. THENCE S51°15'19"W A DISTANCE OF 440.24 FEET;

19. THENCE S38°44'41"W A DISTANCE OF 3100.73 FEET TO THE SOUTHEAST CORNER OF MERIDIAN RANCH ON THE SOUTH LINE OF SAID SECTION 29;

20. THENCE N89°23'27"W ALONG THE SOUTH LINE OF SECTION 29 A DISTANCE OF 143.70 FEET;

21. THENCE N89°25'42"W ALONG THE SOUTH LINE OF SECTION 29 A DISTANCE OF 607.99 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF STAPLETON DRIVE;

THE NEXT 6 COURSES ARE ALONG THE NORTH RIGHT OF WAY LINE OF STAPLETON DRIVE;

22. THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1410.00 FEET, A DELTA ANGLE OF 17°51'44", AN ARC LENGTH OF 439.57 FEET, WHOSE LONG CHORD BEARS N80°43'01"W A DISTANCE OF 437.79 FEET;

23. THENCE N89°38'53"W A DISTANCE OF 835.50 FEET;

24. THENCE N46°47'48"W A DISTANCE OF 64.84 FEET;

25. THENCE N87°58'53"W A DISTANCE OF 120.05 FEET;

26. THENCE S43°01'13"W A DISTANCE OF 64.72 FEET;

27. THENCE N89°38'53"W A DISTANCE OF 963.75 FEET TO THE SOUTHEAST CORNER OF MERIDIAN RANCH FILING 1, EL PASO COUNTY, COLORADO;

28. THENCE N36°21'00"W A DISTANCE OF 2024.62 FEET;

29. THENCE N24°04'04"W A DISTANCE OF 415.84 FEET;

30. THENCE N14°38'18"W A DISTANCE OF 136.59 FEET;

31. THENCE N08°15'41"E A DISTANCE OF 782.16 FEET;

32. THENCE N15°11'03"E A DISTANCE OF 271.42 FEET;

33. THENCE N17°44'22"E A DISTANCE OF 61.75 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF LONDONDERRY DRIVE;

THE NEXT 6 COURSES ARE ALONG THE SOUTH RIGHT OF WAY LINE OF LONDONDERRY DRIVE;

34. THENCE S72°15'38"E A DISTANCE OF 150.00 FEET;

35. THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2360.00 FEET, A DELTA ANGLE OF 01°09'47", AN ARC LENGTH

OF 47.90 FEET, WHOSE LONG CHORD BEARS S72°50'31"E A DISTANCE OF 47.90 FEET;

36. THENCE S73°25'24"E A DISTANCE OF 106.84 FEET;

37. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1060.00 FEET, A DELTA ANGLE OF 26°53'32", AN ARC LENGTH OF 497.52 FEET, WHOSE LONG CHORD BEARS S86°52'10"E A DISTANCE OF 492.96 FEET;

38. THENCE N79°41'04"E A DISTANCE OF 740.84 FEET;

39. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 4940.00 FEET, A DELTA ANGLE OF 04°26'53", AN ARC LENGTH OF 383.50 FEET, WHOSE LONG CHORD BEARS S81°54'30"W A DISTANCE OF 383.41 FEET;

40. THENCE N06°19'54"W A DISTANCE OF 120.00 FEET;

41. THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5060.00 FEET, A DELTA ANGLE OF 08°10'23", AN ARC LENGTH OF 721.79 FEET, WHOSE LONG CHORD BEARS N88°12'28"E A DISTANCE OF 721.18 FEET;

42. THENCE N02°17'40"E A DISTANCE OF 15.00 FEET;

43. THENCE N20°33'52"E A DISTANCE OF 220.67 FEET;

44. THENCE N05°39'22"E A DISTANCE OF 498.48 FEET;

45. THENCE N02°56'36"W A DISTANCE OF 79.91 FEET;

46. THENCE N20°21'00"E A DISTANCE OF 104.09 FEET;

47. THENCE N29°28'04"E A DISTANCE OF 213.35 FEET;

48. THENCE N25°58'15"E A DISTANCE OF 91.22 FEET;

49. THENCE N03°27'48"E A DISTANCE OF 182.44 FEET;

50. THENCE N76°39'22"E A DISTANCE OF 142.62 FEET;

51. THENCE N29°51'44"E A DISTANCE OF 136.11 FEET;

52. THENCE N15°56'39"W A DISTANCE OF 161.03 FEET;

53. THENCE N63°33'40"W A DISTANCE OF 154.43 FEET;

54. THENCE S68°49'19"W A DISTANCE OF 178.84 FEET;

55. THENCE S66°48'10"W A DISTANCE OF 60.48 FEET;

56. THENCE N10°17'04"E A DISTANCE OF 50.43 FEET;

57. THENCE N26°39'50"E A DISTANCE OF 102.40 FEET;

58. THENCE N15°56'39"W A DISTANCE OF 140.12 FEET;

59. THENCE N71°57'57"W A DISTANCE OF 167.33 FEET;

60. THENCE S75°04'52"W A DISTANCE OF 209.68 FEET;

61. THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 680.00 FEET, A DELTA ANGLE OF 09°30'40", AN ARC LENGTH OF 112.88 FEET, WHOSE LONG CHORD BEARS S15°52'12"W A DISTANCE OF 112.75 FEET;

62. THENCE S18°06'48"W A DISTANCE OF 228.15 FEET;

63. THENCE N69°22'28"W A DISTANCE OF 80.00 FEET;

64. THENCE S65°37'32"W A DISTANCE OF 31.11 FEET;

65. THENCE N69°22'28"W A DISTANCE OF 7.34 FEET;

66. THENCE S20°37'32"W A DISTANCE OF 60.00 FEET TO POINT ON BOUNDARY OF TRACT O, MERIDIAN RANCH FILING 2, EL PASO COUNTY, COLORADO;

THE NEXT 4 COURSES ARE ALONG THE BOUNDARY OF SAID TRACT O;

- 67. THENCE N69°22'28"E A DISTANCE OF 7.34 FEET;
- 68. THENCE S24°22'28"E A DISTANCE OF 31.11 FEET;
- 69. THENCE S20°37'32"W A DISTANCE OF 403.15 FEET;
- 70. THENCE N69°22'28"W A DISTANCE OF 438.34 FEET TO A POINT ON THE BOUNDARY OF SAID MERIDIAN RANCH FILING 2;

THE NEXT 45 COURSES ARE ALONG THE BOUNDARY OF SAID MERIDIAN RANCH FILING 2;

- 71. THENCE S60°21'12"W A DISTANCE OF 467.68 FEET;
- 72. THENCE S86°07'03"W A DISTANCE OF 218.11 FEET;
- 73. THENCE N01°48'53"W A DISTANCE OF 62.36 FEET;
- 74. THENCE N08°04'23"W A DISTANCE OF 127.10 FEET;
- 75. THENCE N15°41'17"W A DISTANCE OF 60.09 FEET;
- 76. THENCE N18°50'48"W A DISTANCE OF 192.00 FEET;
- 77. THENCE N14°04'57"W A DISTANCE OF 60.21 FEET;
- 78. THENCE N18°50'46"W A DISTANCE OF 72.00 FEET;
- 79. THENCE N16°47'15"W A DISTANCE OF 58.05 FEET;
- 80. THENCE N37°35'44"W A DISTANCE OF 115.16 FEET;
- 81. THENCE N27°12'32"W A DISTANCE OF 90.28 FEET;
- 82. THENCE N67°27'24"W A DISTANCE OF 105.89 FEET;
- 83. THENCE N73°10'23"W A DISTANCE OF 183.13 FEET;
- 84. THENCE S16°49'37"W A DISTANCE OF 120.00 FEET;
- 85. THENCE N73°10'23"W A DISTANCE OF 54.55 FEET;
- 86. THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 470.00 FEET, A DELTA ANGLE OF 82°29'17", AN ARC LENGTH OF 676.65 FEET, WHOSE LONG CHORD BEARS N31°55'45"W A DISTANCE OF 619.71 FEET;
- 87. THENCE S80°41'07"E A DISTANCE OF 30.00 FEET;
- 88. THENCE N16°48'26"E A DISTANCE OF 30.00 FEET;
- 89. THENCE N73°11'34"W A DISTANCE OF 32.96 FEET;
- 90. THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 470.00 FEET, A DELTA ANGLE OF 07°35'50", AN ARC LENGTH OF 62.32 FEET, WHOSE LONG CHORD BEARS N17°16'01"E A DISTANCE OF 62.27 FEET;
- 91. THENCE N21°03'56"E A DISTANCE OF 37.89 FEET;
- 92. THENCE N64°13'38"E A DISTANCE OF 32.16 FEET;
- 93. THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 630.00 FEET, A DELTA ANGLE OF 13°32'48", AN ARC LENGTH



OF 148.95 FEET, WHOSE LONG CHORD BEARS S80°26'32"E A DISTANCE OF 148.61 FEET;

94. THENCE N02°47'04"E A DISTANCE OF 60.00 FEET;
95. THENCE N06°47'45"E A DISTANCE OF 158.56 FEET;
96. THENCE N03°33'24"E A DISTANCE OF 83.15 FEET;
97. THENCE N01°27'47"W A DISTANCE OF 82.91 FEET;
98. THENCE N07°35'41"W A DISTANCE OF 83.07 FEET;
99. THENCE N17°14'05"W A DISTANCE OF 78.42 FEET;
100. THENCE N17°16'37"W A DISTANCE OF 325.71 FEET;
101. THENCE N28°15'40"W A DISTANCE OF 100.62 FEET;
102. THENCE N33°09'27"W A DISTANCE OF 60.01 FEET;
103. THENCE N32°20'36"W A DISTANCE OF 113.62 FEET;
104. THENCE N48°41'21"W A DISTANCE OF 164.66 FEET;
105. THENCE N49°39'28"W A DISTANCE OF 31.25 FEET;
106. THENCE N48°33'28"W A DISTANCE OF 105.57 FEET;
107. THENCE S86°58'30"W A DISTANCE OF 149.48 FEET;
108. THENCE N85°20'19"W A DISTANCE OF 82.01 FEET;
109. THENCE N88°53'09"W A DISTANCE OF 81.62 FEET;
110. THENCE N23°45'57"W A DISTANCE OF 124.54 FEET;
111. THENCE N07°06'49"W A DISTANCE OF 71.08 FEET;
112. THENCE N23°11'07"E A DISTANCE OF 83.10 FEET;
113. THENCE N80°55'08"W A DISTANCE OF 96.56 FEET;
114. THENCE N84°23'13"W A DISTANCE OF 177.25 FEET;
115. THENCE N86°54'07"W A DISTANCE OF 137.15 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF MOUNT GATEWAY DRIVE;
116. THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 760.00 FEET, A DELTA ANGLE OF 02°30'55", AN ARC LENGTH OF 33.36 FEET, WHOSE LONG CHORD BEARS N04°21'20"E A DISTANCE OF 33.36 FEET;
117. THENCE N05°36'47"E A DISTANCE OF 476.67 FEET TO A POINT LOCATED ON THE BOUNDARY OF SAID MERIDIAN RANCH FILING 2;

THE NEXT 13 COURSES ARE ALONG THE BOUNDARY OF SAID MERIDIAN RANCH FILING 2;

118. THENCE S84°23'13"E A DISTANCE OF 369.53 FEET;
119. THENCE N05°36'47"E A DISTANCE OF 360.00 FEET;
120. THENCE N84°23'13"W A DISTANCE OF 184.53 FEET;
121. THENCE N05°36'47"E A DISTANCE OF 317.98 FEET;
122. THENCE N12°01'06"W A DISTANCE OF 369.60 FEET;
123. THENCE N07°18'36"W A DISTANCE OF 369.72 FEET;
124. THENCE N19°16'14"W A DISTANCE OF 95.20 FEET;
125. THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 630.00 FEET, A DELTA ANGLE OF 06°07'00", AN ARC LENGTH OF 67.26 FEET, WHOSE LONG CHORD BEARS N62°37'13"E A DISTANCE OF 67.22 FEET;

126. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 470.00 FEET, A DELTA ANGLE OF  $04^{\circ}26'55''$ , AN ARC LENGTH OF 36.49 FEET, WHOSE LONG CHORD BEARS  $N61^{\circ}47'10''E$  A DISTANCE OF 36.48 FEET;
127. THENCE  $N25^{\circ}59'22''W$  A DISTANCE OF 60.00 FEET;
128. THENCE  $N32^{\circ}49'15''W$  A DISTANCE OF 252.81 FEET;
129. THENCE  $N01^{\circ}07'56''W$  A DISTANCE OF 683.13 FEET;
130. THENCE  $N01^{\circ}07'36''W$  A DISTANCE OF 60.03 FEET TO POINT ON THE NORTH LINE OF SAID SECTION 19;
131. THENCE  $S89^{\circ}18'07''E$  ALONG THE NORTH LINE OF SECTION 19 A DISTANCE OF 2503.81 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THE ABOVE LEGAL DESCRIPTION CONTAINS 1618.75 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW  $\frac{1}{4}$  OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ASSUMED TO BEAR  $S89^{\circ}25'42''E$  FROM THE SOUTHWEST CORNER OF SAID SECTION 29 (A STONE W/SCRIBED "X") TO THE SOUTH QUARTER CORNER OF SAID SECTION 29 (3.25" ALUM. CAP LS #30087).