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El Paso County, CO

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RESOLUTION NO. 24-487

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO

STATE OF COLORADO

APPROVAL OF A MAP AMENDMENT (REZONING)
MONUMENT RIDGE EAST RS-6000 (P246)

WHEREAS Vertex Consulting Services 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 and described in Exhibit B, attached hereto and incorporated by reference from the PUD (Planned Unit Development), CC (Commercial Community), C-1(Commercial), and RS-20000 (Residential Suburban) zoning district to the RS-6000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 21, 2024, 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 December 12, 2024; 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 the 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 zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

6. That the proposed land use will be compatible with existing and permitted land uses in the area.
7. 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.
8. That changing conditions clearly require amendment to the Zoning Resolutions.
9. 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.

WHEREAS, pursuant to Section 5.3.5 of the El Paso County Land Development Code, as amended, in approving this amendment to the El Paso County Zoning Map, the Board of County Commissioners considered one or more of the following 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;
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 the El Paso County Board of County Commissioners hereby approves the petition of Vertex Consulting Services 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 PUD (Planned Unit Development), CC (Commercial Community), C-1(Commercial), and RS-20000 (Residential Suburban) to RS-6000 (Residential, Suburban) zoning district;

BE IT FURTHER RESOLVED 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 RS-6000 (Residential Suburban) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. All lots that are adjacent to the Heights Filing Two subdivision and abut Tract F, shall have a minimum lot size of 15,000 square feet.
4. A landscape plan shall be submitted with the final plat application that is consistent with the requirements in the Land Development Code.

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.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

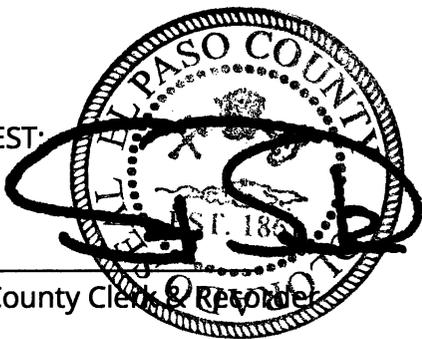
DONE THIS 12th day of December 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____

County Clerk



By: Coni J. Ste
Chair

EXHIBIT A

A TRACT OF LAND LYING IN THE WEST 1/2 OF SECTION 2, AND THE WEST 1/2 OF SECTION 11 TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH WEST SECTION CORNER OF SAID SECTION 2 WHENCE THE WEST 1/4 CORNER OF SAID SECTION 2 BEARS SOUTH 00°06'21" EAST, A DISTANCE OF 2767.12 FEET:

THENCE NORTH 89°46'22" EAST, A DISTANCE OF 1953.69 FEET;

THENCE SOUTH 00°13'38" EAST, A DISTANCE OF 30.00 FEET: THENCE ALONG THE SOUTH LINE OF THE NORTH 30 FEET OF SAID SECTION 2 NORTH 89°46'22" EAST, A DISTANCE OF 139.55 FEET TO THE TRUE POINT OF BEGINNING:

THENCE NORTH 89°46'22" EAST, A DISTANCE OF 259.32 FEET TO THE NORTHWEST CORNER OF THE RIGHT OF WAY OF PARCEL GRANTED TO EL PASO COUNTY FOR COUNTY ROAD UNDER THE RECEPTION NUMBER 214002145 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE FOLLOWING SAID RIGHT OF WAY, THE FOLLOWING 5 COURSES:

1) THENCE SOUTH 00°19'37" EAST, A DISTANCE OF 11.75 FEET;

2) THENCE SOUTH 89°17'54" EAST, A DISTANCE OF 182.88 FEET;

3) THENCE NORTH 84°31'33" EAST, A DISTANCE OF 3.14 FEET;

4) THENCE SOUTH 89°40'13" EAST, A DISTANCE OF 87.26 FEET;

5) THENCE SOUTH 88°20'10" EAST, A DISTANCE OF 154.53 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE 60 FEET WIDE DOEWOOD DRIVE AS DEDICATED IN HEIGHTS FILING TWO AS RECORDED IN PLAT BOOK E-5 AT PAGE 228 UNDER RECEPTION NUMBER 2287623 OF THE RECORDS OF EL PASO COUNTY;

THENCE SOUTH 00°41'56" WEST, ALONG THE WESTERLY RIGHT OF WAY OF SAID DOEWOOD DRIVE, A DISTANCE OF 249.69 FEET, TO THE NORTHEAST CORNER OF LOT 10 OF SAID HEIGHTS FILING TWO;

THENCE SOUTH 89°50'30" WEST, A DISTANCE OF 129.42 FEET TO THE NORTHWEST CORNER OF SAID LOT 10;

THENCE SOUTH 15°46'00" WEST, A DISTANCE OF 1267.84 FEET ALONG THE WESTERLY LINE OF SAID HEIGHTS FILING TWO, TO THE SOUTHEAST CORNER HEIGHTS FILING 1 AS RECORDED IN PLAT BOOK E-5 PAGE 167 RECORDS OF EL PASO COUNTY;

THENCE NORTH 89°15'42" WEST, ALONG THE SOUTH LINE OF SAID "HEIGHTS FILING 1, A DISTANCE OF 487.45 FEET, TO THE NORTHWEST CORNER OF LOT 27 OF MISTY ACRES FILING 1 AS RECORDED UNDER RECEPTION NUMBER 205190028 RECORDS OF EL PASO COUNTY;

THENCE THE FOLLOWING 4 COURSES ALONG THE EASTERLY LINE OF SAID LOT 27;

1) THENCE SOUTH 14°00'25" WEST, A DISTANCE OF 242.35 FEET;

2) THENCE SOUTH 11°49'44" EAST, A DISTANCE OF 121.06 FEET;

3) THENCE SOUTH 59°49'44" EAST, A DISTANCE OF 49.90 FEET;

4) THENCE SOUTH 30°35'19" WEST, A DISTANCE OF 196.92 FEET;

THENCE NORTH 15°34'31" WEST, A DISTANCE OF 97.39 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A LENGTH OF 603.66 FEET, A RADIUS OF 715.00 FEET;

THENCE NORTH 32°47'55" EAST, A DISTANCE OF 226.03 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A LENGTH OF 481.30 FEET, A RADIUS OF 835.00 FEET;

THENCE NORTH 00°13'38" WEST, A DISTANCE OF 617.79 FEET;

THENCE NORTH 30°14'22" EAST, A DISTANCE OF 108.28 FEET TO THE TRUE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PARCEL CONVEYED TO WOODMORE WATER AND SANITATION DISTRICT FOR THE CRYSTAL CREEK LIFT STTION DEED RECORDED NOVEMBER 30, 1998 AT RECEPTION NO. 98175218 OF THE RECORDS OF EL PASO COUNTY, COLORADO; EXCEPTION DEED RECORDED NOVEMBER 29, 2010 AT RECEPTION NO. 210120918 AND JANUARY 9, 2014 AT RECEPTION NO 214002145 AND FURTHER EXCEPTING ANY PORTION WITHIN THE RIGHT OF WAY OF COUNTY LINE ROAD OR INTERSTATE HIGHWAY 25, AND FURTHER EXCEPTING THAT PORTION DEDICATED AS DOEWOOD DRIVE IN "HEIGHTS FILING TWO" AS RECORDED IN PLAT BOOK E-5 AT PAGE 228 UNDER RECEPTION NO. 2287623 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

SAID PARCEL CONTAINS 18.97 ACRES MORE OR LESS.

