

COLORADO

Kevin Mastin, Interim Executive Director El Paso County Planning & Community Development O: 719-520-6300 KevinMastin@elpasoco.com 2880 International Circle, Suite 110 Colorado Springs, CO 80910 **Board of County Commissioners** Holly Williams, District 1 Carrie Geitner, District 2 Stan VanderWerf, District 3 Longinos Gonzalez, Jr., District 4 Cami Bremer, District 5

- TO: El Paso County Planning Commission Brian Risley, Chair
- FROM: Kari Parsons, Senior Planner Charlene Durham, PE Engineer III Kevin Mastin, Interim Executive Director
- RE: Project File #: P-22-014 Project Name: Monument Hill (Caliber at Woodmoor) Multi-dwelling Parcel Nos.: 71110-00-018 and 71113-03-004

OWNER:	REPRESENTATIVE:
Greater Europe Mission	Kimley Horn Associates
18950 Base Camp Road,	2 North Nevada Avenue
Monument, CO, 80132	Colorado Springs, CO, 80903

Commissioner District: 1

Planning Commission Hearing Date:	11/17/2022
Board of County Commissioners Hearing Date:	12/6/2022

EXECUTIVE SUMMARY

A request by Greater Europe Mission, for approval of a map amendment (rezoning) of 15.2 acres from CC (Commercial Community) to RM-30 (Residential, Multi-Dwelling). The 15.2-acre property is located northeast of the intersection of Monument Hill Road and Deer Creek Road and within Section 11, Township 11 South, Range 67 West of the 6th P.M.

A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

Request: A request by Greater Europe Mission, for approval of a map amendment (rezoning) of 15.2 acres from CC (Commercial Community) to RM-30 (Residential, Multi-Dwelling).

Waiver(s)/Deviation(s): There are no waivers or deviations associated with this request.

Authorization to Sign: There are no documents associated with this application that require signing.

B. Planning Commission Summary

Request Heard: Recommendation: Waiver Recommendation: Vote: Vote Rationale: Summary of Hearing: Legal Notice:

C. APPROVAL CRITERIA

In approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners (BoCC) shall find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the <u>El Paso</u> <u>County Land Development Code</u> (2022):

- 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;
- 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;
- The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
- The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the <u>Land Development Code</u>, for the intended zone district.

D. LOCATION

- North: CC (Commercial Community)
- South: CC (Commercial Community)
- East: I-2 (Limited Industrial)
 - A-5 Agricultural
- West: Town of Monument

Palmer Ridge School (D-38) Commercial/vacant Office/ warehouse Palmer Ridge School (D-38) Commercial storage/ vacant



Figure: Zoning Map

E. BACKGROUND

In response to the development communities request to streamline development in unincorporated El Paso County, the 2011 Land Development Code Amendment (PCD File No. LDC-11-003) was approved by the Board of County Commissioners on January 12, 2012, which consolidated the CN (Commercial Neighborhood) and CO (Commercial Office) zone districts into the CC (Commercial Community) zoning district. A concurrent rezone request to rezone the two subject parcels totaling 15.2-acres from CO (Commercial Office) (Obsolete) to CC (Community Commercial) (PCD File No. CC-11-1) zone district was also approved on January 12, 2012.

The subject property identified as parcel no, 71113-03-004 was platted as, Lot 1 Greater Europe Mission Subdivision Fil No 1 on March 30, 2000.

The subject property identified as parcel number 71100-00-018 was created outside of the subdivision process on November 11, 1967, by deed and is therefore, a legal unplatted parcel.

Additionally, in order to initiate any new uses on the property, the applicant will need to obtain site development plan approval for multifamily residential structures.

F. ANALYSIS

1. Land Development Code Analysis

Section 3.2 of the <u>Code</u> states the following as the intent of the RM-30 zoning district: "The RM-30 zoning district is a 30-dwelling unit per acre district primarily intended to accommodate moderate-density multi-dwelling development."

The parcels, totaling 15.2 acres, included in the proposed map amendment (rezoning) are currently zoned CC (Commercial Community). Applicant has stated in their letter of intent that they intend to develop 264 multifamily units in twenty-one (21) buildings on the 15.2-acre site with a density of 17.4 dwelling units per /acre in the proposed RM-30 zone. The residential use is anticipated to have less noise, traffic, and visual impacts than a commercial center as the current zone district allows.

The proposed rezone request is compatible with the School District No. 38 educational facilities to the north and east. The proposed RM-30 (Multi-dwelling Residential) zone district is compatible with the existing office/warehouse commercial business zoned I-2 (Industrial) also to the east. Interstate 25 lies immediately to the west of the subject property. Further to the west, undeveloped land and an existing boat and recreational vehicle storage lies within the Town of Monument.

County review and administrative approval of site development plans will help ensure that adequate buffers, setbacks, and screening are implemented to further mitigate any potential impacts to the surrounding area. The site development plan review will also include compliance with all applicable aspects of the <u>Land Development Code</u> and the <u>Engineering Criteria Manual</u>, including but not limited to grading and erosion control, parking, and lighting standards.

Multi-family residential land use is a primary land use category in the Regional Center Placetype. Please see the <u>Master Plan</u> discussion below:

2. Zoning Compliance

The density and dimensional standards for the RM-30 (Residential Multi-Dwelling) zoning district are as follows:

- Maximum density (Dwelling units/acre): 30
- Minimum lot size: 5,000 square feet¹
- Width at front setback line: 35 feet
- Setbacks
 - Front: 25 feet²
 - \circ Side: 15 feet²
 - \circ Rear: 15 feet²
- Maximum lot coverage: 60 percent
- Maximum height: 40 feet
- Minimum Internal Landscape requirement: 15 percent

¹ Minimum lot area of 5,000 square feet applies to single-family detached dwellings, Two-family dwellings and the first 2 units of a multi-family development. An additional 1,000 square feet of lot area is required each additional dwelling unit within a multi-family development. The maximum multi-family density may not exceed 30 dwelling units per acre. All other uses are subject to a minimum lot area of 7,000 square feet. Central water and wastewater services are required regardless of lot size or conforming status.

² The minimum distance between buildings shall be 10 feet.

In order to initiate any uses on the property, the applicant will need to obtain site development plan approval for the multifamily residential structures. The site development plan will be reviewed to ensure that all proposed structures will comply with the zoning district dimensional standards as well as the General Development Standards of the <u>Code</u> and <u>Engineering Criteria Manual</u> requirements.

3. Master Plan Analysis

- a. Your El Paso Master Plan
 - i. Place Type: Regional Center

Place Type Character:

"The fundamental purpose of a Regional Center is to provide access to necessary and desired commercial goods and services in El Paso County through a unique mix of uses. This placetype differs from Rural Centers by providing a level of goods and services that attract people from across the County, and depending on location, from adjacent counties. Regional Centers often incorporate a lifestyle live-work-play environment and can include multifamily housing elements in their design as standalone apartments or part of mixed-use developments. This placetype includes large scale shopping centers that house a variety of commercial businesses and support a high activity of users on a regular basis such as grocery stores, pharmacies, clothing stores, automotive centers, restaurants, entertainment opportunities, home improvement stores, and other major retailers. Multifamily apartments provide commercial businesses direct access to potential customers.

Regional Centers are major commercial destinations for residents and are easily accessible from major transportation routes throughout the County. Regional Centers in El Paso County are surrounded by Urban Residential, Suburban Residential, and Employment Center placetypes. In addition, Regional Centers can also be extensions of commercial areas within incorporated municipalities such as the Gleneagle area."

Recommended Land Uses:

Primary Uses

- o Restaurant
- Commercial Retail
- Commercial Service
- o Entertainment
- Multi-family Residential

Supporting Uses

- o Office
- o Institutional
- Mixed Use
- Single-family Attached Residential

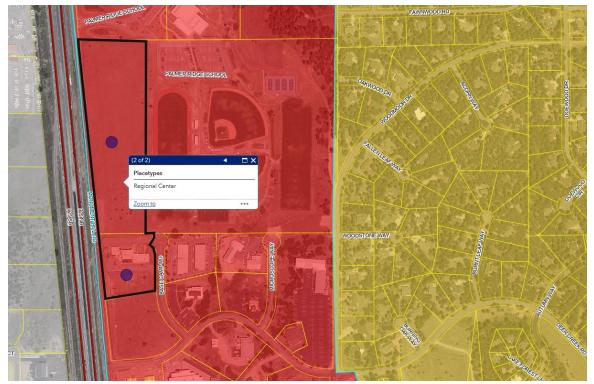


Figure: Placetype Map

Analysis:

"There are two types of housing with increasing demand in the County right now: low-density single-family detached and higher-density multi-family. Both are appropriate and necessary in the right placetypes and locations in the County as defined in the Master Plan, but these two uses should not be located directly adjacent to one another in most contexts. Single-family attached housing such as townhomes, rowhomes, and multi-unit apartment homes should be used to create seamless transitions between low intensity and high-intensity neighborhoods as well as nonresidential uses" (Page 57).

Relevant goals and objectives are as follows:

Goal LU3 – Encourage a range of development types to support a variety of land uses.

Objective LU3-1 – Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

Goal HC3- Locate attainable housing that provides convenient access to goods, services, and employment.

Objective HC4-1 – Denser housing development should occur in Suburban Residential, Urban Residential, Rural Center, and Regional Center placetypes.

Objective TM1-4 – Encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when maintenance is needed.

Objective TM2-1 – Transportation improvements should prioritize active modes of transportation and connections to local destinations over vehicular travel and regional trips.

Objective CFI3-5 – Continue to improve coordination with fire districts, developers, and other groups to ensure that new development provides appropriate fire suppression water supplies and infrastructure.

Objective CFI3-9 – Ensure wastewater treatment systems will be properly operated and maintained and that they will not exceed the maximum treatment capacity if future growth is planned.

The proposed map amendment (rezone) proposes an urban density multifamily attached residential development which is consistent with the recommended density and supporting land use within the Suburban Residential placetype. The RM-30 zoning district allows a maximum density of 30 dwelling units per acre. The proposed rezone accommodates attainable housing in the area, and the subject property is within close proximity to the existing commercial development which may provide employment opportunities for future residents. The property is anticipated to be served by Woodmoor Water and Sanitation District. Tri-Lakes Monument Fire Protection District was sent a referral to review the application and has no outstanding comments. A site development plan is required to be submitted and approved prior to issuance of a building permit for the property. The site development plan will be required to meet the development standards of the Land Development Code, not limited to buffering, landscape, lighting, drainage, parking, etc.

- **ii.** Area of Change Designation: The subject parcel is within minimal area of change designation.
- iii. Other Implications (Priority Development, Housing, etc.) The subject property is not located within a Priority Development Area.

iv. Key Area Influences: Tri-Lakes Area

"Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most wellestablished community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor."

4. Water Master Plan Analysis

<u>The El Paso County Water Master Plan</u> (2018) has three main purposes: better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 1.2 – Integrate water and land use planning

Goal 6.0.11- Continue to limit urban level development to those areas served by centralized services

The subject parcels are in Region 2, Monument Area, of the El Paso County Water Master Plan. "Region 2, located in the northwest corner of El Paso County, is expected to experience significant growth through 2060. The I-25 corridor passes through the center of the region and offers optimal growth areas in and around the Towns of Palmer Lake and Monument.

Growth is anticipated along both the east and west sides of I-25 by 2040. Additional growth areas are located near Colorado State Highway 83. Lowdensity developments are expected by 2040 for both the north and south sides of Hodgen Road, along the Highway 83 corridor.

Substantial growth is projected along Highway 83 in northwestern El Paso County. Planned growth areas are expected to be low density and would currently rely on well and septic systems, as no centralized well or sewer systems are available. Region 2 bordering Douglas County also has projected growth by 2060 between Furrow Road and Roller Coaster Road.

A finding of water sufficiency regarding quantity, dependability, and quality is not being requested, nor is it required, with the proposed map amendment (rezoning), but would occur later at the subdivision stage of development. The subject parcels are proposed to be served by the Widefield Water and Sanitation District. A finding of water sufficiency is not required as part of a map amendment (rezone). a finding of sufficiency for water quality, quantity, and dependability is requested with the concurrent final plat request.

5. Other Master Plan Elements

The <u>El Paso County Wildlife Habitat Descriptors</u> (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Services Division, was sent a referral and has no outstanding comments.

The <u>Master Plan for Mineral Extraction</u> (1996) identifies no valuable deposits in the area of the subject parcel. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

The Parks Advisory Board has provided a response which includes an analysis regarding conformance with <u>The El Paso County Parks Master Plan</u> (2013) written below:

"The Caliber at Woodmoor multi-family residential project (Monument Hill) consists of 264 residential units contained within 21 single and multi-story buildings on 15.2 acres. The site is located on the east side of Interstate 25 along Monument Hill Road, immediately adjacent Palmer Ridge High

School, near the Black Forest and the Palmer Divide. The 2013 and 2022 El Paso County Parks Master Plans show no impacts to existing or proposed parks, trails, or open space. The proposed Jackson Creek Primary Regional Trail and Highway 105 Bicycle Route are both located 1 mile south of the property, while the existing New Santa Fe Primary Regional Trail is located 0.65 mile to the southwest of the property. Fox Run Regional Park is located approximately 4.7 miles to the southeast, while Santa Fe Open Space is located approximately 2 miles to the west. Lewis-Palmer School District No. 38 is planning to construct the Lewis-Palmer Trail approximately 0.35 mile east of Caliber at Woodmoor. This trail will provide much-needed pedestrian connections to nearby neighborhoods, schools, businesses, and other local attractions to the south and east of the Caliber site. It is advised that the applicant should work with the Town of Monument to plan and develop safe and secure pedestrian routes along Deer Creek Road and across Woodmoor Drive, thus connecting Caliber with the Lewis-Palmer Trail system. No park land or trail easement dedications will be required for this residential development. Regional and urban park fees will be calculated upon reviews of forthcoming preliminary plans and final plats. These comments are being provided administratively, as rezoning applications do not require Park Advisory Board consideration."

Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning) application, but will be due at the time of recording the final plat(s).

Please see below for more information regarding the <u>EI Paso County 2016 Major</u> <u>Transportation Corridors Plan Update</u> (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified during the review of the proposed map amendment (rezoning).

2. Floodplain

The property is not located within a defined floodplain as determined from review of the FEMA Flood Insurance Rate Map panel number 08041C0276G, dated December 7, 2018.

3. Drainage and Erosion

The property is located within the Dirty Woman Creek (FOMO5200) drainage basin, which is a studied drainage basin with drainage and bridge fees. Drainage

and bridge fees are not assessed with map amendment (rezoning) requests or site development plan submittals. A grading and erosion control plan as well as a final drainage report providing hydrologic and hydraulic analysis to identify and mitigate the drainage impacts of the development will be submitted with the site development plan application.

4. Transportation

The site is located near Palmer Ridge High School, between Misty Acres Boulevard and Deer Creek Road. The traffic study submitted with the map amendment (rezone) application identifies that access to the site will be provided from Monument Hill Road and Base Camp Road. It is proposed that Monument Hill Road will have a full movement access approximately 800 feet south of the Palmer Ridge High School bus loop access and a right-in/right-out access approximately 800 feet south of the proposed full movement access, which is 775 feet north of Deer Creek Road. A second full movement access is proposed at the end of the Base Camp Road cul-de-sac. Improvements are suggested at the Monument Hill Road and Woodmoor Drive intersection, as well as at the State Highway 105 and Woodmoor Drive intersection. Further staff analysis of the proposed access points and improvements will be performed with review of the construction documents associated with the site development application.

The <u>El Paso County 2016 Major Transportation Corridors Plan Update</u> depicts roadway improvement projects in the immediate vicinity of the development, located along State Highway 105, Monument Hill Road and Deer Creek Road. The property is subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

El Paso County currently has a plan in place that will upgrade some roads and drainage in this area in the near future.

H. SERVICES

1. Water

Water is anticipated to be provided by Woodmoor Water and Sanitation District. The District was sent a referral and has no outstanding comments.

2. Sanitation

Wastewater is anticipated to be provided by Woodmoor Water and Sanitation District. The District was sent a referral and has no outstanding comments.

3. Emergency Services

The property is within the Tri-Lakes Monument Fire Protection District. The District was sent a referral and did provide a response the District would be able to serve the development.

4. Utilities

Electrical service is anticipated to be provided by Mountain View Electric Association (MVEA) and Natural gas service is anticipated to be provided by Black Hills Energy. Each were sent a referral and has no outstanding comments.

5. Metropolitan Districts

The property is not located within the boundaries of a Metropolitan District.

6. Schools

Land dedication and fees in lieu of school land dedication are not required for a map amendment (rezoning) application, but will be due at the time of recording the final plat(s).

I. APPLICABLE RESOLUTION

See Attached Resolution.

J. STATUS OF MAJOR ISSUES

There are no major issues at this time.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5, Map Amendment (Rezoning), of the <u>El Paso County Land Development Code</u> (2022), staff recommends the following conditions and notations.

CONDITIONS

- 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.
- Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-30 (Residential Multi-Dwelling) zoning district and with the applicable sections of the <u>EI Paso County Land Development Code</u> and <u>Engineering Criteria Manual</u>.

- 3. Developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items stated in the Monument Hill Traffic Impact Study, pending acceptance. Offsite transportation improvements will be verified with an updated traffic impact analysis or memorandum as appropriate, to be provided with the site development plan for the subject development area. Participation may be through construction of improvements or escrow provisions. A development agreement may be required for any necessary offsite improvements.
- 4. The setbacks from the two parcels' common boundary will need to be adhered to as required in Chapter 6 of the <u>Code</u> and depicted on the site development plan if the parcels are not combined. Alternatively, a Combination of Contiguous Lots or Parcels, pursuant to Section 7.2.2 of the <u>Code</u>, would be required prior to the submittal of a site development plan.

NOTATIONS

- 1. If a map amendment (rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application 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 application. 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. Map amendment (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.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified nine (9) adjoining property owners on October 28, 2022, for the Planning Commission meeting.

M. ATTACHMENTS

Vicinity Map Letter of Intent Rezone Map Tri-Lakes Monument Fire District Letter Draft PC Resolution

El Paso County Parcel Information File Name:			
			Date:
PARCEL	NAME	ADDRESS	
Please report an El Pase	iy parcel discrepancies to: o County Assessor	COPYRIGHT 2022 by the Board of County Commissi rights reserved. No part of this document or data co	ontained hereon may be reproduced;
1675 W. G Colorado	arden of the Gods Rd. 5 Springs, CO 80907 (19) 520-6600	used to prepare derivative products; or distributed of the Board of County Commissioners, El Paso Con prepared from the best data available at the time of makes no claim as to the completeness or accura	unty, Colorado. This document was printing. El Paso County, Colorado,

July 22, 2022

APPLICANT-OWNER/CONSULTANT INFORMATION:

<u>OWNER</u>

GREATER EUROPE MISSION ATTN: KEVIN BROWN kevin.brown@gemission.org US SENDING OFFICE 1800 BASE CAMP ROAD MONUMENT, CO 80232

APPLICANT

THE GARRETT COMPANIES, INC. ATTN: HEATH KENNEDY 303-981-5742 hkennedy@thegarrettco.com 1051 GREENWOOD SPRINGS BLVD, SUITE 101 GREENWOOD, IN 46143

PLANNING/TRANSPORTATION/ENGINEERING

KIMLEY-HORN & ASSOCIATES, INC. 2 NORTH NEVADA AVE, SUITE 300 COLORADO SPRINGS, CO 80903

SURVEYING

AZTEC CONSULTANTS, INC. 300 EAST MINERAL AVE, SUITE 1 LITTLETON, CO 80122

REQUEST

The Garrett Companies (Applicant), on behalf Greater Europe Mission (Owner), requests the rezoning of Parcel No. 7111303004 (±3.59 AC) aka 18950 Base Camp Rd, Monument, CO 80132 and Parcel No. 7111000018 (±11.61 AC), undeveloped, from the CC (Commercial Community District) to the RM-30 (Residential Multifamily) District. The parcels are located on the east side of Monument Hill Road between the entrance to Palmer Ridge High School and the northern terminus of Base Camp Road. (See vicinity map for location).

The Applicant intends to develop 264 multifamily units in twenty-one (21) buildings on the 15.2 AC site with a density of 17.4 DU/AC in the proposed RM-30 zone. The planned community includes: twenty (20) low-rise, two (2) story multifamily unit buildings with ten (10) units per building and one (1) mid-rise, three (3) story multifamily unit building with sixty-four (64) units, an office/club house

building, swimming pool, dog park, associated landscaping, and detention pond. Parking will be provided with a combination of tuck under (garage) parking below second level units and uncovered surface parking. Final community and site plan details are currently being refined for site development plan submittal.

REVIEW CRITERIA & JUSTIFICATION

The Applicant requests approval of the rezoning based on findings of consistency and general conformance with the following map amendment (rezoning) review criteria. Master Plan conformity will be discussed in terms of general conformity with the Your El Paso Master Plan (Master Plan) and El Paso County Water Master Plan (WMP).

A. 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:

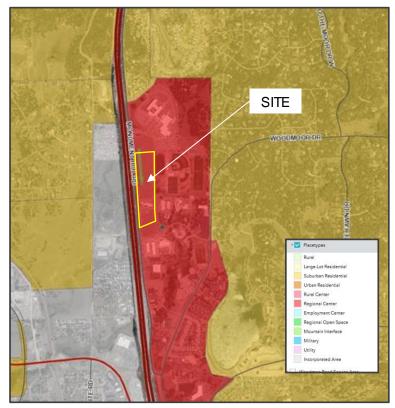
The proposed rezone is in general conformance with the EL Paso County Master Plan as discussed in detail below. Existing land use patterns comprise a mixed land use character of commercial, office, industrial, single-family, outdoor recreation & institutional (Palmer Ridge High School and Lewis-Palmer Middle School) along the Monument Hill Road and Woodmoor Drive corridors. This development pattern is consistent with the location and primary and supporting land uses of the Regional Center Placetype shown on the Placetypes Map in the Master Plan.

The proposed RM-30 zoning and planned multifamily land use and density are consistent with the existing adjacent commercial, office, industrial, public, and residential land uses.

Core Principle 1: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

Goal 1.1 - Ensure compatibility with established character and infrastructure capacity.

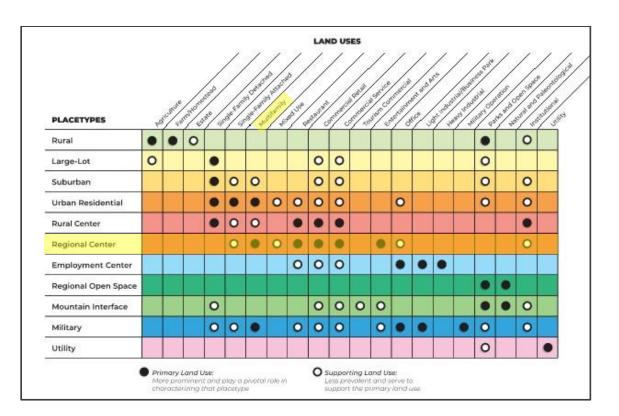
Goal 1.4 - Continue to encourage policies that ensure "development pays for itself". (Addressed together with core principle and goals below)



Land Use

The Your El Paso Master Plan locates this property within a Regional Center Placetype where higher density and multifamily residential uses are identified as a primary land use in this area designation. Multifamily apartments provide commercial businesses direct access to potential customers. Regional Centers are major commercial destinations for residents and are easily accessible from major transportation routes throughout the County, such as Monument Hill Road and I-25. Regional Centers in El Paso County are surrounded by Urban Residential, Suburban Residential, and Employment Center placetypes. In addition, Regional Centers can also be extensions of commercial areas within incorporated municipalities, such as the Town of Monument.

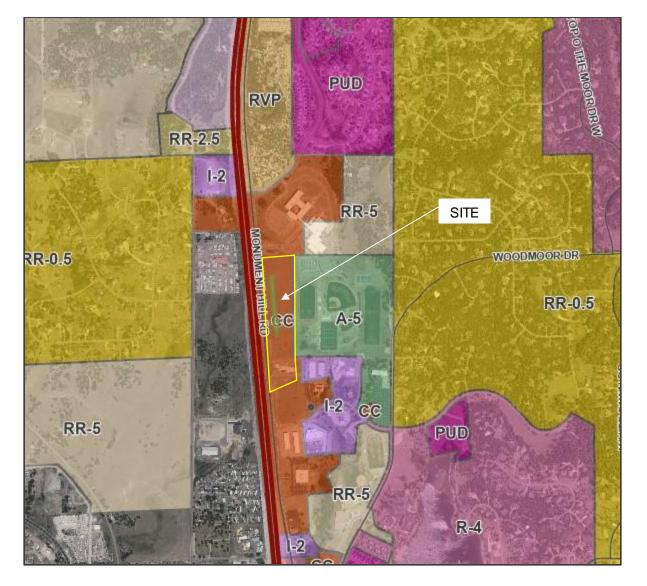
Kimley *Worn*



The proposed multifamily use and density are compatible with the existing adjacent commercial, office, industrial, institutional, and residential land uses. Many of the Regional Center Placetype land uses are located adjacent to the planned development which include commercial service, office, and institutional in the surrounding CC (Commercial Community), I-2 (Limited Industrial), and A-5 (Agricultural) zone districts.

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Tri-Lakes Area

Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities.

The proposed development aligns with the existing character and will strengthen housing options for residents, and support the commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

Infrastructure Capacity (Utilities and Urban Services)

Necessary urban services to meet the multifamily demands are available and currently serving adjacent and nearby residential, commercial, industrial land uses and densities. Specific services include water/wastewater, fire protection, emergency ambulatory/medical service (EMS), police protection, public schools for compulsory education, public parks and recreation opportunities, and public drainage/transportation facilities and associated infrastructure. Two new access drives are proposed on Monument Hill Road to provide ingress and egress to the development.

Public services and utilities are, or will be, provided by the following

- Water & Wastewater Services: Woodmoor Water and Sanitation District (WWSD)
- Natural Gas: Black Hills Energy • Electric Service: Mountain View Electric Association, Inc. • Fire Protection: • Tri-Lakes Monument Fire Protection District Lewis Palmer School District 38 Public Schools: • Library Services: **Pikes Peak Library District:** Roads: El Paso County Road and Bridge • El Paso County Sheriff's Department Police Protection: Parks, Trails, Open Spaces: El Paso County •

Utility and fire protection commitments and use specific service demands and delivery requirements will be provided at future subdivision phases for the multifamily project. The subsequent subdivision and site development plan submittal and review will include detailed reports and analysis of system or service deficiencies. Impacted service providers will outline respective infrastructure and/or operational needs to meet projected demands.

Infrastructure Capacity (Transportation and Access – Summarized from TIS)

The project is expected to generate approximately 1,768 weekday daily trips, with 106 of these trips occurring during the morning peak hour and 136 of these trips occurring during the afternoon peak hour.

Regional access will be provided by Interstate 25 (I-25) and SH-105. Primary access will be provided by Woodmoor Drive and Monument Hill Road. Direct access will be provided by a proposed northern full movement access located approximately 675 feet south of the Palmer Ridge High School bus loop access (measured right-of-way to center) and a southern right-in/right-out access located approximately 600 feet south of the full movement access (measured center to center). Likewise, access to the development will be available at the northern cul-de-sac terminus of Base Camp Road. Traffic using this access will arrive and depart Base Camp Road at the Deer Creek Road intersection.

The threshold for requiring an access permit along Colorado Department of Transportation (CDOT) roadways occurs when project traffic is anticipated to increase the existing access traffic volumes by more than 20 percent or modifications are needed at the intersection. Based on traffic projections, the addition of project traffic on the north leg of Woodmoor Drive at SH-105is not anticipated to increase existing access traffic volumes by more than 20 percent, with the maximum expected increase at 10 percent during the afternoon peak hour on the north leg (109 project / 1144 existing 2022 counts (unadjusted)). In addition, improvements are not anticipated to be needed or recommended at the SH-105 and Woodmoor Drive intersection in the short-term horizon. Therefore, a CDOT access permit is not anticipated to be required in association with this project.

With completion of the Caliber at Woodmoor project, a northern full movement access is proposed to be located approximately 675 feet south of the Palmer Ridge High School bus loop access (measured right-of-way to center). The access is recommended to operate with stop control with installation of an R1-1 "STOP" sign on the westbound exiting driveway approach.

A southern right-in/right-out access is proposed to be located approximately 600 feet south of the full movement access (measured center to center). An R1-1 "STOP" sign is recommended to be installed on the exiting westbound approach. In addition, an R3-2 No Left Turn sign is recommended to be installed below the "STOP" sign to identify the restriction to right out only and on the southeast corner of the intersection visible to southbound drivers to identify the restriction to right in only.

Goal 1.3 - Encourage a range of development types to support a variety of land uses. (Addressed together with core principle and goals below)

Core Principle 2: Preserve and develop neighborhoods with a mix of housing types.

Goal 2.1 - Promote development of a mix of housing types in identified areas.

Goal 2.3 - Locate attainable housing that provides convenient access to goods, services, and employment.

Need for Housing Variety

The County's housing stock is largely made up of single-family homes and the majority of planned residential development in unincorporated County is still focused on single-family housing. Existing multifamily units provide rental housing options, but the County will need significantly more throughout the life of this Plan to capture projected growth within the region. While it can be expected that a majority of El Paso County's future households will desire single-family homes, it is important that a mix of housing types be developed to provide options that support market demand and ensure affordability.

Renters

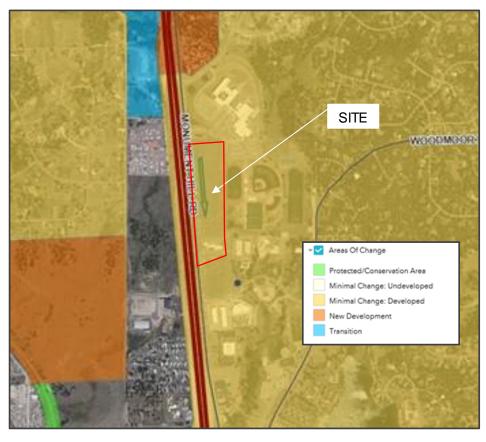
For renters, the shortages are most apparent for lower-income households with annual incomes less than \$25,000 a year. Currently, there is a need for an additional 16,360 units to serve households in this income group. This indicates a lack of attainable, market-rate housing units for these households to rent in their price range. Thus, many County residents who rent their home may be experiencing a housing cost burden (spending 30 percent or more of annual income on housing). Both owner- and renter-occupied households are experiencing an affordability disparity to some extent in El Paso County.

The housing type in the area is characterized by lower suburban residential densities of larger lot single family detached homes.

The proposed multifamily housing development will supply an additional 264 apartment units to the rental housing market demand. This housing will create opportunities for individuals and families to find attainable and affordable market-rate housing to conveniently located major transportation thoroughfares (I-25 and SH-105) which can connect them to employment centers, commercial/retail corridors and nodes, and recreational opportunities throughout the El Paso County region.

The proposed rezone and development of multi-family housing will provide additional housing choices to meet the current regional demand for workforce, affordable, and attainable housing. Rental/leasing prices will be market rate which are comparable to rental rates for similarly aged communities in El Paso County that provide comparable unit and community amenities. The proposed infill multifamily development provides a balancing and complementary land use mix that supports nearby commercial/retail uses and workforce housing demands.

According to the Area of Change Designation Map in the Master Plan, the site is located within a Minimal Change; Developed area. These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. The proposed development will integrate into the



existing framework of uses and intensity to maintain the overall character and not significantly impact or change the area.

The functionality of the site with respect to access, design, and building orientation will be consistent with and compatible with existing conditions such as location and massing of buildings relative to adjacent rights

of way and view corridors, location of community/resident amenities and recreation areas, site design which respects the location as a County/Town of Monument gateway, as well as enhancing the overall visual character attractiveness of the area through contemporary building facades and private architectural design standards.

WATER MASTER PLAN CONFORMANCE & CONSIDERATIONS

- Goal 1.1 Ensure an adequate water supply in terms of quantity, dependability, and quality for existing and future development.
- Goal 6.0 Require adequate water availability for proposed development.
- Policy 6.0.8 Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

• Policy 6.0.11 – Continue to limit urban level development to those areas served by centralized utilities.

The development area is in REGION 2 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Woodmoor Water and Sanitation (WWSD) Service Area. Region 2 consists of areas served by WWSD and is expected to experience significant growth by 2060.

WWSD has sufficient supply and existing infrastructure in the area to serve this infill development. Water quality is good and WWSD is in compliance with all regulatory limits. Existing distribution and service lines are located adjacent to the site and are adequately sized to deliver water and wastewater to the proposed development. Extension of utilities through the site, including any watermain looping requirements off-site, will be provided by the developer in accordance with WWSD regulations.

Findings of water sufficiency will be made during the final plat submittal, review, and approval process. Early discussions with WWSD indicate that adequate water supplies are available to meet the demands of the proposed project. A complete final analysis of projected water demand and todate WWSD supplies are pending completion of the Development Review process between the WWSD and developer.

A Water Resources Report with supplemental WWSD information will be provided with upcoming final plat application and will provide detailed information regarding multifamily demand and supplies, commitments, facilities, acquisitions, and capital improvements. Coordination is ongoing with WWSD to establish final water demands to serve the development in terms of number of units, fixture counts, and irrigation and fire suppression needs.

B. 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:

The application has met all County submittal and procedural requirements for a rezone as either outlined or authorized by the referenced statutes.

C. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions:

Surrounding land uses and zoning include the following:

NORTH:

• PALMER RIDGE HIGH SCHOOL (CC)

WEST:

- I-25/TOWN OF MONUMENT
- RV & OUTDOOR STORAGE/VACANT LAND (TOWN OF MONUMENT CC COMMERCIAL CENTER)

SOUTH:

• SELF STORAGE (CC)

EAST:

- PALMER RIDGE HIGH SCHOOL (A-5)
- LIGHT INDUSTRIAL/FLEX OFFICE/WAREHOUSE (I-2)

Roadways, utilities, drainage, etc. will be constructed in the most optimal and efficient manner as necessary to facilitate construction and sequencing. Utilities for the multifamily community will be coordinated with the associated districts and providers as required.

D. 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.

The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the County Code. The site is located adjacent to existing transportation and utility infrastructure and service lines. No major improvements or upgrades are anticipated to adequately serve the site.

The functionality of the site with respect to access, design, and building orientation will be consistent with and compatible with existing conditions such as location and massing of buildings relative to adjacent rights of way and view corridors, location of community/resident amenities and recreation areas, site design which respects the location as a County/Town of Monument gateway, as well as enhancing the overall visual character attractiveness of the area through contemporary building facades and private architectural design standards.

Suitability of the site for development in terms of geology, service availability, environmental impacts, major land use impacts, and military adjacency considerations and mitigation of associated impacts will be documented with subsequent subdivision plat and site development plan applications.

The subdivision analysis of the site suitability will also include availability of public services such as: access & transportation, stormwater, fire protection, utilities, water/sewer services, schools, parks and open spaces (via dedications as well as on site amenities where applicable). These and other issues will be addressed in additional detail in response to subdivision, site development and performance criteria, and any conditions of approval imposed by the County.

Development will conform to the zoning requirements of the RM-30 zone, including landscape buffering/screening requirements of the Code summarized below:

- Maximum density: 30 DU/AC
- Structural Setbacks (from property boundary):
 - o Front 25-feet feet
 - Side/Rear: 15-feet
 - The minimum distance between buildings shall be 10 feet.
- Max Lot Coverage: 60%
- Max Height: 40-feet
- Roadway Landscape Buffers:
 - Non-Arterial: 10 feet (1 tree/30 feet of Monument Hill Road frontage)

BOUNDARY DESCRIPTION:

PARCEL 1:

LOT 1, GREATER EUROPE MISSION SUBDIVISION FILING NO. 1, COUNTY OF EL PASO, STATE OF COLORADO.

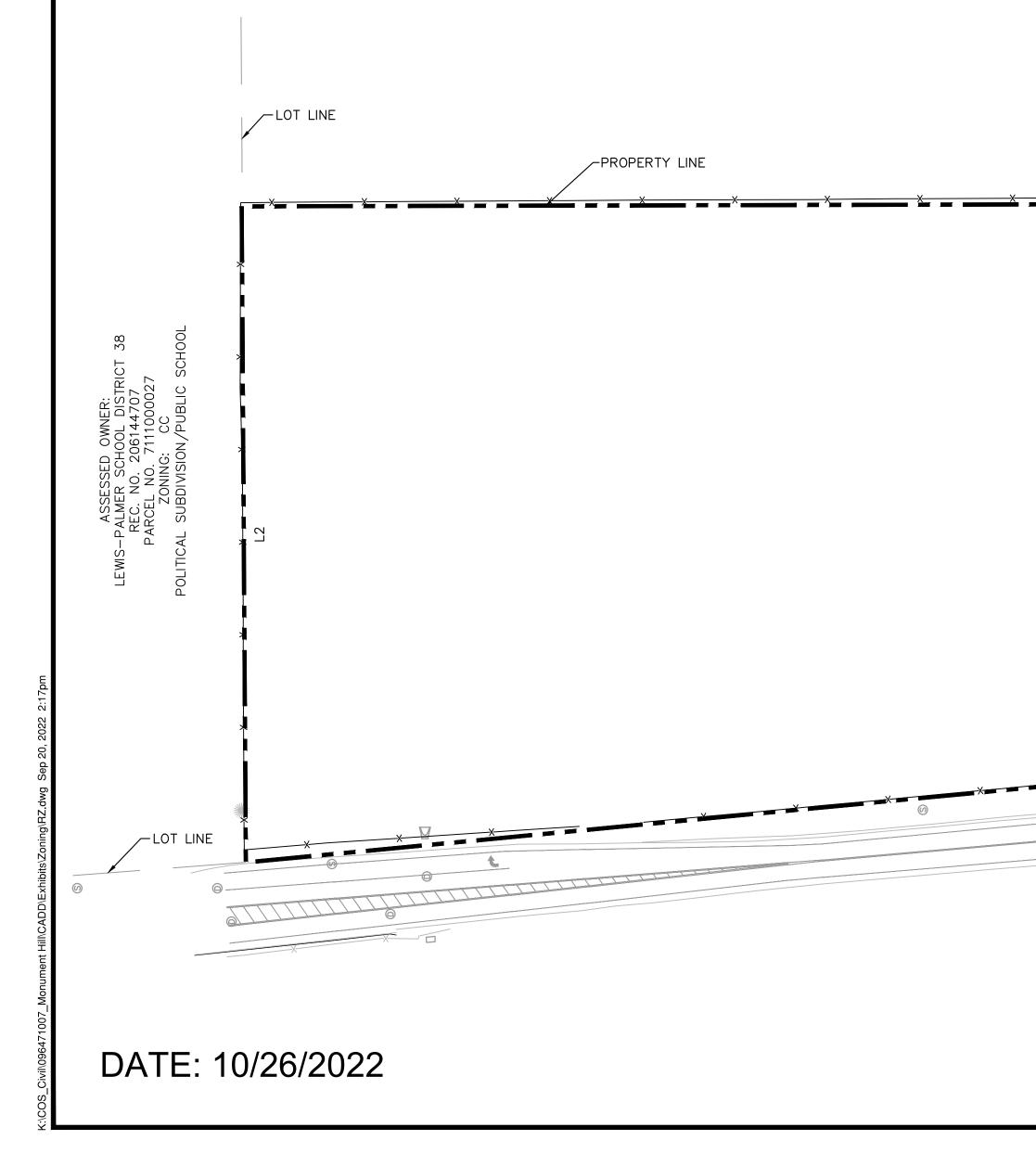
PARCEL 2:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11. TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M. LYING EAST OF THE EAST LINE OF THAT TRACT CONVEYED TO THE STATE HIGHWAY DEPARTMENT BY QUITCLAIM DEED RECORDED SEPTEMBER 8, 1948 IN BOOK 1185 AT PAGE 458, ALSO DESCRIBED AS:

THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER: THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 996.04 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 25 DESCRIBED IN THAT DEED TO THE STATE HIGHWAY DEPARTMENT RECORDED SEPTEMBER 8, 1948 IN BOOK 1185 AT PAGE 458, WHICH POINT IS THE TRUE POINT OF BEGINNING OF THE PARCEL DESCRIBED; THENCE ON A DEFLECTION ANGLE TO THE LEFT 95°08'20" AND ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 1334.24 FEET TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE ON A DEFLECTION ANGLE TO THE RIGHT 95'00'36" AND ALONG SAID NORTHERLY LINE 441.95 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE ON A DEFLECTION ANGLE TO THE RIGHT 90°16'15" AND ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 1329.88 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE ON A DEFLECTION ANGLE TO THE RIGHT 89'51'29" AND ALONG THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 319.15 FEET TO THE POINT OF BEGINNING.



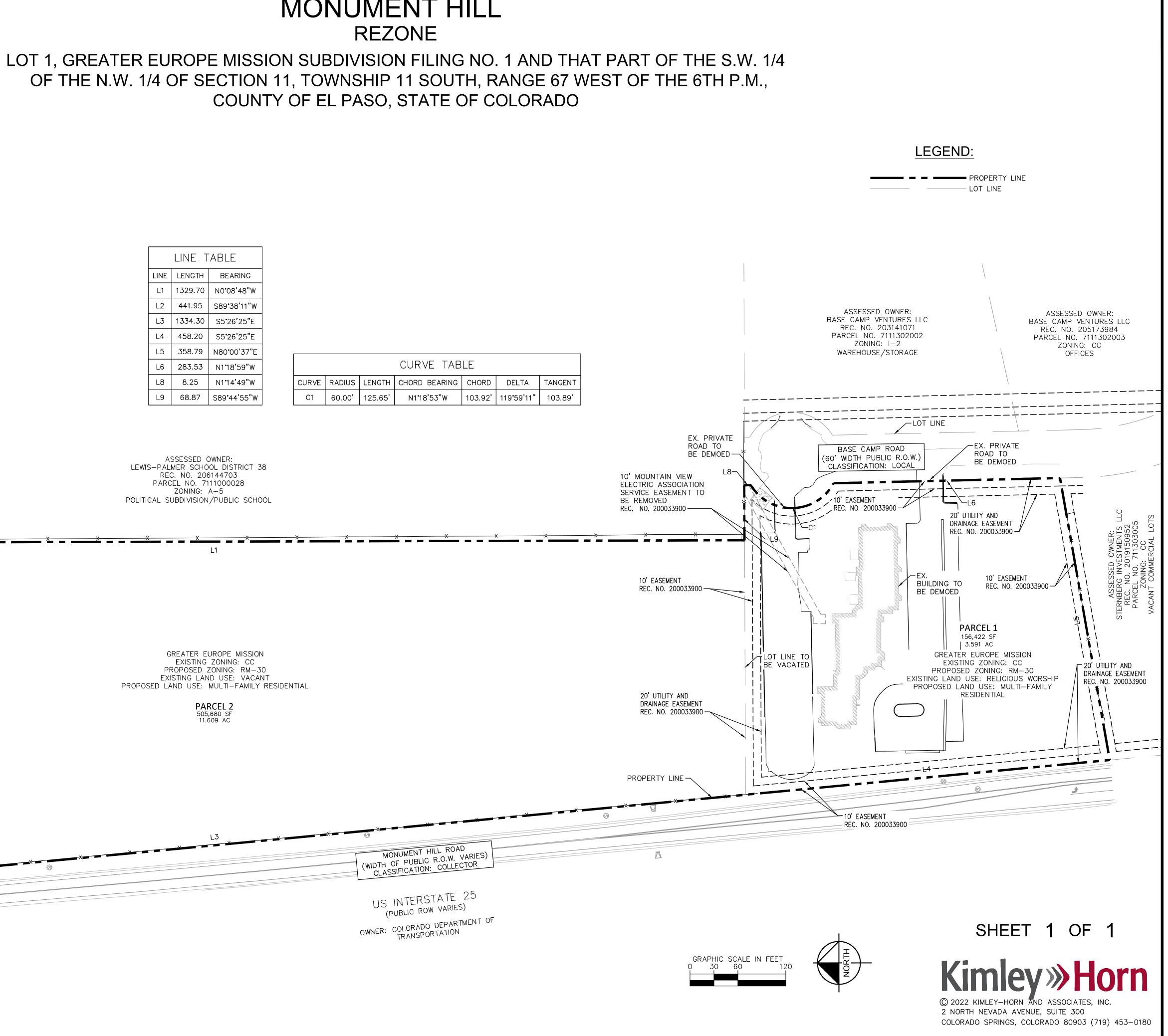


MONUMENT HILL REZONE

COUNTY OF EL PASO, STATE OF COLORADO

LINE TABLE			
LINE	LENGTH	BEARING	
L1	1329.70	N0°08'48"W	
L2	441.95	S89°38'11"W	
L3	1334.30	S5 ° 26'25"E	
L4	458.20	S5 ° 26'25"E	
L5	358.79	N80°00'37"E	
L6	283.53	N1°18'59"W	
L8	8.25	N1 ° 14'49"W	
L9	68.87	S89°44'55"W	

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	60.00'	125.65'	N1°18'53"W	103.92'	119 ° 59'11"	103.89'



MONUMENT FIRE DISTRICT 16055 Old Forest Point, Suite #102 Monument, CO 80132 (719) 484-0911 www.monumentfire.org Proudly serving the Tri-Lakes Region



Jamey Bumgarner, Division Chief

October 27, 2022

To Whom it may Concern:

The Monument Fire Protection District currently provides fire protection and emergency medical services to 61 square miles of northern El Paso County. Our current ISO rating is 3/3Y. The Caliber at Woodmoor (Monument Hill Rezone) does lie within our current district boundaries, and we will continue to provide services to the property and divided lots.

Our Fire Station 3 is located at 1855 Woodmoor Drive and is staffed 24 hours daily. Located 1.0 miles from the Caliber at Woodmoor, our units will arrive within 3 minutes. The ISO rating for the property will be 3.

Please let me know if you have additional questions.

Jamey Bumgarner

Division Chief / Fire Marshal

MAP AMENDMENT - REZONE (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P-22-014 MONUMENT HILL (CALIBER AT WOODMOOR)

WHEREAS, Greater Europe Mission did file an application with the El Paso County Planning and Community Development Department for an amendment of 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, from the CC (Commercial Community) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by this Commission on November 17, 2022; 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. 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, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
- 4. All exhibits were received into evidence;
- 5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

- 6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
- 7. For the above-stated and other reasons, the proposed amendment of 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, in approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners (BoCC) shall find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the <u>El Paso County Land Development</u> <u>Code</u> (2022):

- 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 EI Paso County Planning Commission recommends that the petition of Greater Europe Mission for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the CC (Commercial Community) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

- 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 RM-30 (Residential Multi-Dwelling)

zoning district and with the applicable sections of the <u>EI Paso County</u> <u>Land Development</u> <u>Code</u> and <u>Engineering Criteria Manual</u>.

- 3. Developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items stated in the Monument Hill Traffic Impact Study, pending acceptance. Offsite transportation improvements will be verified with an updated traffic impact analysis or memorandum as appropriate, to be provided with the site development plan for the subject development area. Participation may be through construction of improvements or escrow provisions. A development agreement may be required for any necessary offsite improvements.
- 4. The setbacks from the two parcels' common boundary will need to be adhered to as required in Chapter 6 of the <u>Code</u> and depicted on the site development plan if the parcels are not combined. Alternatively, a Combination of Contiguous Lots or Parcels, pursuant to Section 7.2.2 of the <u>Code</u>, would be required prior to the submittal of a site development plan.

NOTATIONS

- 1. If a map amendment (rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application 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 application. 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. Map amendment (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 that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

____ seconded the adoption of the foregoing Resolution.

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

Brian Risley	aye / no / abstain / absent
Thomas Bailey	aye / no / abstain / absent
Tim Trowbridge	aye / no / abstain / absent
Joan Lucia-Treese	aye / no / abstain / absent
Becky Fuller	aye / no / abstain / absent

Sarah Brittain Jack	aye / no / abstain / absent
Jay Carlson	aye / no / abstain / absent
Eric Moraes	aye / no / abstain / absent
Joshua Patterson	aye / no / abstain / absent
Bryce Schuettpelz	aye / no / abstain / absent
Christopher Whitney	aye / no / abstain / absent
Brandy Merriam	aye / no / abstain / absent

The Resolution was adopted by a vote of <u>to</u> by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 17th day of November 2022, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____ Brian Risley, Chair

DATED: November 17, 2022

EXHIBIT A

Parcel 1:

Lot 1, GREATER EUROPE MISSION SUBDIVISION FILING NO. 1, County of El Paso, State of Colorado, consisting of 3.591 acres.

Parcel 2:

That portion of the Southwest Quarter of the Northwest Quarter of Section 11, Township 11 South, Range 67 West of the 6th P.M. lying east of the east line of that tract conveyed to the State Highway Department by Quitclaim Deed recorded September 8, 1948 in Book 1185 at Page 458, also described as:

That part of the Southwest Quarter of the Northwest Quarter of Section 11, Township 11 South, Range 67 West of the 6th P.M., County of El Paso, State of Colorado, more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence Easterly along the Southerly line of said Northwest Quarter a distance of 996.04 feet to a point on the Easterly right-of-way of Interstate Highway 25 described in that deed to the State Highway Department recorded September 8, 1948 in Book 1185 at Page 458, which point is the True Point of Beginning of the parcel described; thence on a deflection angle to the left 95°08'20" and along said Easterly right of way line a distance of 1334.24 feet to a point on the Northerly line of said Southwest Quarter of the Northwest Quarter; thence on a deflection angle to the right 95°00'36" and along said Northerly line 441.95 feet to the Northwest Corner of said Southwest Quarter of the Northwest Quarter a distance of 1329.88 feet to the Southeast corner of said Southwest Quarter of the Northwest Quarter a distance of 1329.88 feet to the right 89°51'29" and along the Southerly line of said Southwest Quarter of the Northwest Quarter; thence on a deflection angle to the right 89°51'29" and along the Southerly line of said Southwest Quarter of the Northwest Quarter; thence on a deflection angle to the right 89°51'29" and along the Southerly line of said Southwest Quarter of the Northwest Quarter; thence on a deflection angle to the right 89°51'29" and along the Southerly line of said Southwest Quarter of the Northwest Quarter; thence on a deflection angle to the right 89°51'29" and along the Southerly line of said Southwest Quarter of the Northwest Quarter; thence on a deflection angle to the right 89°51'29" and along the Southerly line of said Southwest Quarter of the Northwest Quarter; thence on a deflection angle to the right 89°51'29" and along the Southerly line of said Southwest Quarter.

The total rezone acreage is 15.2 acres.