



RESOLUTION NO. 17-371

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF COLORADO

APPROVAL OF THE SANTA FE SPRINGS PUD 7 MAP AMENDMENT (REZONING) (P-17-014)

WHEREAS El Paso County Planning and Community Development 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, which is attached hereto and incorporated by reference from the PUD (Planned Unit Development) zoning district to the A-35 (Agricultural) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 7, 2017, 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 this Board on December 12, 2017; 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. The application was properly submitted for consideration by the Board of County Commissioners.
2. 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 of El Paso County.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. The proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.
5. The proposed land use will be compatible with existing and permitted land uses in the area.
6. 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.

7. 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.
8. Changing conditions clearly require amendment to the Zoning Resolutions.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of El Paso County Planning and Community Development 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) zoning district to the A-35 (Agricultural) zoning district ;

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

CONDITIONS

1. Any requests to rezone property to any zoning district other than what is approved by this action will require submittal of an application for a map amendment (rezoning) to the Planning and Community Development Department.
2. Future land use applications, which may include but not necessarily be limited to, map amendments (rezonings), preliminary plans, and/or final plats, shall include reports, plans, and other documentation as determined by the Planning and Community Development Director necessary to analyze impacts to the surrounding transportation network, on and off-site drainage and stormwater impact, soils and geology and related hazards, wildlife impacts, floodplain impacts, water and wastewater resources, and the feasibility of central/urban services.
3. Approval of the County initiated rezoning of the Santa Fe Springs PUD 2 shall render the Santa Fe Springs Sketch Plan (PCD File No. SKP-04-003) as invalid and no longer binding upon future development of the affected properties.

NOTATIONS

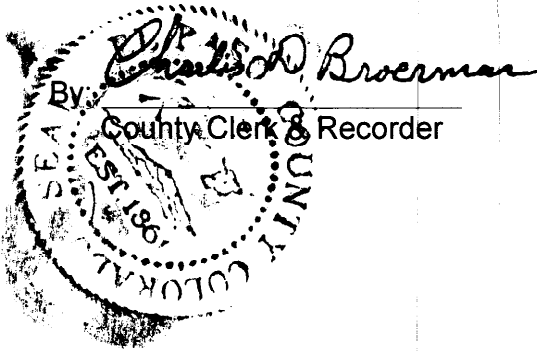
1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. 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, 2017, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:



By: Paul J. Kern
President

EXHIBIT A

P.U.D. PARCEL NUMBER 7

EAST

A TRACT OF LAND LOCATED IN SECTION 4, 5, 6, 7 AND 8, ALL IN TOWNSHIP 13 SOUTH, RANGE 63 WEST AND IN SECTION 31 AND 32, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE S 89° 02' 22" E ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 611.01 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE CONTINUING S 89° 02' 22" E ALONG THE LAST DESCRIBED COURSE, A DISTANCE OF 3344.75 FEET TO THE SOUTHWEST CORNER OF THE EAST ONE-HALF OF THE EAST ONE-HALF (E ½ E ½) OF SAID SECTION 31; THENCE N 00° 13' 59" E ALONG THE WEST LINE OF SAID E ½ E ½, A DISTANCE OF 2635.57 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SE ¼ NE ¼) OF SAID SECTION 31; THENCE N 00° 02' 14" E ALONG THE WEST LINE OF SAID SE ¼ NE ¼, A DISTANCE OF 1317.76 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S 89° 04' 20" E ALONG THE NORTH LINE OF SAID SE NE, A DISTANCE OF 1322.28 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 89° 44' 23" E ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTH ONE-HALF OF SAID SECTION 32, A DISTANCE OF 3927.17 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (NE ¼ NE ¼) OF SAID SECTION 32; THENCE N 00° 03' 34" W ALONG THE WEST LINE OF SAID NE ¼ NE ¼ A DISTANCE OF 1316.20 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S 89° 42' 47" E ALONG THE NORTH LINE OF SAID NE ¼ NE ¼, A DISTANCE OF 1308.91 FEET TO THE NORTHEAST CORNER OF SAID SECTION 32; THENCE S 00° 07' 55" E ALONG THE EAST LINE OF SAID SECTION 32, A DISTANCE OF 2631.20 FEET TO THE NORTHEAST CORNER OF THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER (E ½ SE ¼) OF SAID SECTION 32; THENCE N 89° 45' 59" W ALONG THE NORTH LINE OF SAID E ½ SE ¼, A DISTANCE OF 1312.23 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S 00° 03' 28" E ALONG THE WEST LINE OF SAID E ½ SE ¼, A DISTANCE OF 2632.42 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE S 89° 49' 08" E ALONG THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 1315.48 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE S 89° 43' 05" E ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 2647.37 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (NW ¼ NE ¼) OF SAID SECTION 4; THENCE ALONG THE WEST, SOUTH AND EAST BOUNDARY OF SAID NW ¼ NE ¼ OF SAID SECTION 4, THE FOLLOWING THREE COURSES: (1) THENCE S 00° 52' 40" W, A DISTANCE OF 1314.94 FEET TO THE SOUTHWEST CORNER THEREOF; (2) THENCE S 89° 41' 27" E, A DISTANCE OF 1321.34 FEET TO THE SOUTHEAST CORNER THEREOF; (3) THENCE N 00° 58' 48" E, A DISTANCE OF 1315.59 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 89° 43' 05" E ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 1323.69 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 01° 04' 54" W ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 3948.75 FEET TO THE NORTHEAST CORNER OF THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF (S ½ S ½) OF SAID SECTION 4; THENCE N 89° 38' 11" W ALONG THE NORTH LINE OF SAID S ½ S ½, A DISTANCE OF 5266.63 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S 00° 40' 28" W ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 1313.65 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE S 00° 37' 17" W ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 2638.60 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 8; THENCE

N 89° 56' 58" W ALONG THE SOUTH LINE OF SAID NE 1/4, A DISTANCE OF 2617.70 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N 89° 56' 45" W ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF SAID SECTION 8, A DISTANCE OF 2617.68 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N 89° 22' 47" W, A DISTANCE OF 1300.90 FEET; THENCE N 89° 34' 07" W, A DISTANCE OF 894.42 FEET;

THENCE N 89° 54' 22" W, A DISTANCE OF 450.66 FEET; THENCE N 00° 00' 00" E, A DISTANCE OF 425.36 FEET; N 00° 13' 19" W, A DISTANCE OF 1290.97 FEET; THENCE N 45° 57' 20" E, A DISTANCE OF 322.23 FEET; THENCE N 44° 27' 00" W, A DISTANCE OF 1688.36 FEET THENCE NORTHWESTERLY ALONG THE ARC OF 3483.40 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 44° 26' 26" (THE LONG CHORD OF WHICH BEARS N 22° 13' 47" W, A LONG CHORD DISTANCE OF 2634.62 FEET), AN ARC LENGTH OF 2701.84 FEET; THENCE N 00° 00' 34" W, A DISTANCE OF 2376.74 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2639.73 ACRES, MORE OR LESS.

EXCEPTING THERE FROM GOVERNMENT LOT 4 LOCATED IN THE NORTHWEST ONE-QUARTER OF SAID SECTION 5;

AND EXCEPTING THERE FROM THE LAZY E SUBDIVISION AS RECORDED UNDER RECEPTION NUMBER 10433 OF THE RECORDS OF THE EL PASO COUNTY, COLORADO, CLERK AND RECORDER AND LOCATED IN THE SOUTHEAST ONE-QUARTER OF SAID SECTION 6;

AND EXCEPTING THERE FROM THAT TRACT OF LAND AS DESCRIBED IN INSTRUMENT RECORDED IN BOOK 2315 AT PAGE 945 OF SAID COUNTY RECORDS.

SAID EXCEPTIONS CONTAIN 94.82 ACRES, MORE OR LESS, RESULTING IN A NET AREA OF 2544.9 ACRES, MORE OR LESS.

SANTA FE SPRINGS PUD 7

LEGAL DESCRIPTION:

P.U.D. PARCEL

NUMBER 7 WEST

A TRACT OF LAND LOCATED IN SECTION 1, 2, 11 AND 12, ALL IN TOWNSHIP 13 SOUTH, RANGE 64 WEST AND IN SECTION 7, TOWNSHIP 13 SOUTH, RANGE 63 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 2;
THENCE S 89° 28' 49" E ALONG THE NORTH LINE OF SAID SECTION 2, A DISTANCE OF 2646.56 FEET; THENCE S 00° 31' 11" W, A DISTANCE OF 465.81 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 2550.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 55° 44' 55" (THE LONG CHORD OF WHICH BEARS S 27° 21' 16" E, A LONG CHORD DISTANCE OF 2384.42 FEET), AN ARC LENGTH OF 2481.14 FEET; THENCE S 55° 13' 44" E, A DISTANCE OF 2087.88 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE S 34° 46' 16" W, A DISTANCE OF 1211.53 FEET; THENCE S 55° 13' 44" E, A DISTANCE OF 47.42 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 570.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 35° 46' 12" (THE LONG CHORD OF WHICH BEARS S 37° 20' 38" E, A LONG CHORD DISTANCE OF 350.10 FEET), AN ARC LENGTH OF 355.85 FEET; THENCE S 19° 27' 32" E, A DISTANCE OF 439.74 FEET; THENCE S 24° 16' 01" E, A DISTANCE OF 224.00 FEET; THENCE N 89° 45' 57" E, A DISTANCE OF 553.38 FEET; THENCE S 90° 00' 00" E, A DISTANCE OF 666.62 FEET; THENCE S 52° 50' 46" E, A DISTANCE OF 740.84 FEET; THENCE S 52° 40' 04" E, A DISTANCE OF 600.13 FEET; THENCE S 66° 44' 11" W, A DISTANCE OF 563.78 FEET; THENCE S 87° 36' 47" W, A DISTANCE OF 40.42 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 12; THENCE S 00° 35' 48" W ALONG THE WEST LINE OF SAID SE ¼ NW ¼ AND THE WEST LINE OF THE EAST ONE HALF OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 12, A DISTANCE OF 3974.23 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N 89° 31' 32" E ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 3558.28 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S 89° 37' 45" E ALONG THE SOUTH LINE OF SAID SECTION 7, A DISTANCE OF 1731.10 FEET; THENCE N 24° 51' 31" W, A DISTANCE OF 581.96 FEET; THENCE N 35° 17' 15" W, A DISTANCE OF 682.31 FEET; THENCE N 35° 54' 24" W, A DISTANCE OF 708.82 FEET; THENCE N 45° 02' 33" W, A DISTANCE OF 278.08 FEET; THENCE N 42° 09' 31" W, A DISTANCE OF 570.14 FEET; THENCE N 78° 42' 23" W, A DISTANCE OF 23.16 FEET;

THENCE N 61° 01' 20" W, A DISTANCE OF 294.15 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 354.44 FOOT RADIUS NON-TANGENTIAL CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 34° 45' 06" (THE LONG CHORD OF WHICH BEARS N 18° 27' 38" W, A LONG CHORD DISTANCE OF 211.70 FEET), AN ARC LENGTH OF 214.98 FEET; THENCE N 52° 37' 54" W, A DISTANCE OF 468.96 FEET; THENCE N 56° 20' 57" W, A DISTANCE OF 452.00 FEET; THENCE N 72° 43' 12" W, A DISTANCE OF 505.06 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 2550.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 50° 20' 35" (THE LONG CHORD OF WHICH BEARS N 30° 03' 26" W, A LONG CHORD DISTANCE OF 2169.1g FEET), AN ARC LENGTH OF 2240.56 FEET; THENCE N 55° 13' 44" W, A DISTANCE OF 3015.89 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 451.9 ACRES, MORE OR LESS.