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El Paso County, CO



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RESOLUTION NO. 18-261

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS,  
STATE OF COLORADO

APPROVAL OF THE WINDING WALK AT MERIDIAN RANCH MAP  
AMENDMENT (REZONING) AND PUD DEVELOPMENT PLAN  
(PUDSP-18-002)

WHEREAS GTL, Inc. 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 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 PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development plan; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on June 5, 2018, upon which date the Planning Commission did by formal resolution recommend denial of the subject map amendment application and supporting PUD Development Plan; and

WHEREAS, a public hearing was held by this Board on June 26, 2018; 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 Board of County Commissioners of El Paso County.
3. 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 persons were heard at those hearings.

4. The proposed PUD (Planned Unit Development) District zoning is in general conformity with the Master Plan for El Paso County, Colorado.
5. The proposed PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the Land Development Code.
6. 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. 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. 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. 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. The areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
11. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
12. 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. 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. 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. 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. The owner has authorized the application.
17. 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.
18. The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan.
19. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.
20. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.
21. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions [C.R.W. §30-28-133(6)(c)].
22. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
23. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
24. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
25. 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.

26. 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.

27. 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 El Paso County Board of County Commissioners hereby approves the application to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the PUD (Planned Unit Development) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby approves the PUD Development Plan as a preliminary plan.

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

#### **CONDITIONS**

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. The developer shall comply with all federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but 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.

6. Applicable park, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.

#### **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.
3. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
4. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

#### **Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard:**

For approval of a modification of a general development standard in the LDC or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;

- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.

The applicant requests the following modification of PUD standards of the LDC:  
A PUD Modification of Section 2.5.2.C.4 of the ECM is requested with this application in relation to the requirement to provide midblock pedestrian crossings at specific locations.

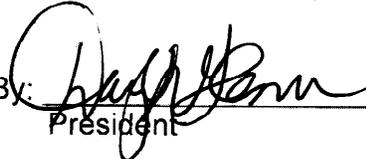
Section 2.5.2.C.4 states:

“Access ramps on local roadways shall be spaced no greater than 600 feet apart. Where spacing is greater than 600 feet, mid-block access ramps shall be provided at spacing that minimize travel distances between access ramps. Private accesses may be used for these access points where the access is designed to meet access ramp requirements.”

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

DONE THIS 26<sup>th</sup> day of June, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

BY:   
President



**EXHIBIT A**

KNOW ALL MEN BY THESE PRESENTS:

THAT GTL, INC. DBA GTL DEVELOPMENT, INC., THEODORE TCHANG, PRESIDENT AND MERIDIAN SERVICE METROPOLITAN DISTRICT BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND LOCATED IN PORTIONS OF SECTION 29, 30, 32, IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, INCLUDING ALL OF TRACT F OF THE METROPOLITAN CLUB RECORDED WITH RECEPTION NO. 208712913 IN THE RECORDS OF EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN MOST CORNER OF TRACT D OF STONEBRIDGE FILING NO. 1 AT MERIDIAN RANCH, RECORDED WITH RECEPTION NO. 215713582 IN THE RECORDS OF EL PASO COUNTY; THE FOLLOWING COURSE IS ON SAID SOUTHERLY LINE OF TRACT D:

1. THENCE N76°25'11"E A DISTANCE OF 375.00 FEET;
2. THENCE S78°55'18"E A DISTANCE OF 200.00 FEET;
3. THENCE S38°44'01"E A DISTANCE OF 300.00 FEET;
4. THENCE S86°37'24"E A DISTANCE OF 475.00 FEET;
5. THENCE N79°31'13"E A DISTANCE OF 400.00 FEET;
6. THENCE N64°36'19"E A DISTANCE OF 400.00 FEET;
7. THENCE N82°25'21"E A DISTANCE OF 800.00 FEET;
8. THENCE N20°23'46"W A DISTANCE OF 350.00 FEET;
9. THENCE N58°13'49"W A DISTANCE OF 206.93 FEET;
10. THENCE N68°53'37"W A DISTANCE OF 140.36 FEET;
11. THENCE N65°03'17"W A DISTANCE OF 145.00 FEET;
12. THENCE N60°08'41"W A DISTANCE OF 60.00 FEET;
13. THENCE N54°59'06"W A DISTANCE OF 123.00 FEET;
14. THENCE N49°16'15"W A DISTANCE OF 58.53 FEET;
15. THENCE N46°40'09"W A DISTANCE OF 60.00 FEET;
16. THENCE N44°59'01"W A DISTANCE OF 59.00 FEET;
17. THENCE N38°56'54"W A DISTANCE OF 123.00 FEET;
18. THENCE N33°47'19"W A DISTANCE OF 60.00 FEET;
19. THENCE N12°21'07"E A DISTANCE OF 8.00 FEET;
20. THENCE N31°45'35"W A DISTANCE OF 134.54 FEET TO A POINT ON THE BOUNDARY OF SAID STONEBRIDGE FILING NO. 1 AT MERIDIAN RANCH;

THE FOLLOWING THREE(3) COURSES ARE ON SAID BOUNDARY LINE:

21. THENCE N56°12'41"E A DISTANCE OF 25.16' TO A NON-TANGENT CURVE TO THE RIGHT;
22. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1030.00 FEET, A DELTA ANGLE OF 14°43'10", AN ARC LENGTH OF 264.61 FEET, WHOSE LONG CHORD BEARS N16°55'44"W A DISTANCE OF 263.88 FEET;

23. THENCE N80°25'51"E A DISTANCE OF 60.00 FEET TO A POINT ON THE BOUNDARY STONEBRIDGE FILING NO. 3 AT MERIDIAN RANCH, RECORDED WITH RECEPTION NO. 217714053 IN THE RECORDS OF EL PASO COUNTY AND A NON-TANGENT CURVE TO THE LEFT;  
THE FOLLOWING TWO (2) COURSES ARE ON SAID BOUNDARY LINE:
24. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 970.00 FEET, A DELTA ANGLE OF 11°31'45", AN ARC LENGTH OF 195.19 FEET, WHOSE LONG CHORD BEARS S15°20'02"E A DISTANCE OF 194.86 FEET;
25. THENCE S66°06'02"W A DISTANCE OF 30.00 FEET;
26. THENCE S31°38'39"E A DISTANCE OF 206.41 FEET;
27. THENCE S23°57'47"E A DISTANCE OF 105.00 FEET;
28. THENCE S43°46'04"E A DISTANCE OF 160.00 FEET;
29. THENCE S55°03'09"E A DISTANCE OF 144.23 FEET;
30. THENCE S60°08'41"E A DISTANCE OF 60.00 FEET;
31. THENCE S61°52'11"E A DISTANCE OF 60.00 FEET;
32. THENCE S69°16'10"E A DISTANCE OF 120.43 FEET;
33. THENCE S69°58'55"E A DISTANCE OF 100.00 FEET;
34. THENCE S61°13'42"E A DISTANCE OF 97.00 FEET;
35. THENCE S54°18'56"E A DISTANCE OF 97.00 FEET;
36. THENCE S47°54'59"E A DISTANCE OF 105.00 FEET;
37. THENCE S42°33'34"E A DISTANCE OF 60.00 FEET;
38. THENCE S42°50'23"E A DISTANCE OF 125.00 FEET;
39. THENCE N47°26'26"E A DISTANCE OF 115.00 FEET;
40. THENCE N49°10'35"E A DISTANCE OF 165.08 FEET;
41. THENCE S51°49'02"E A DISTANCE OF 111.67 FEET;
42. THENCE N77°17'41"E A DISTANCE OF 109.21 FEET;
43. THENCE N48°27'37"E A DISTANCE OF 122.15 FEET;
44. THENCE N32°40'27"E A DISTANCE OF 349.31 FEET;
45. THENCE S55°38'05"E A DISTANCE OF 290.90 FEET;
46. THENCE S28°43'28"E A DISTANCE OF 308.38 FEET;
47. THENCE S64°52'09"E A DISTANCE OF 294.58 FEET TO A NON-TANGENT CURVE TO THE LEFT;
48. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1460.00 FEET, A DELTA ANGLE OF 08°03'03", AN ARC LENGTH OF 205.15 FEET, WHOSE LONG CHORD BEARS N21°06'20"E A DISTANCE OF 204.98 FEET;
49. THENCE N17°04'48"E A DISTANCE OF 421.16 FEET TO A POINT ON THE WESTERN BOUNDARY OF THE VISTAS FILING NO. 1 AT MERIDIAN RANCH, RECORDED WITH RECEPTION NO. 217713953 IN THE RECORDS OF EL PASO COUNTY;  
THE FOLLOWING SIXTEEN(16) COURSES ARE ON SAID BOUNDARY LINE:
50. THENCE S17°04'48"W A DISTANCE OF 421.16 FEET TO A CURVE TO THE RIGHT;
51. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1540.00 FEET, A DELTA ANGLE OF 32°34'11", AN ARC LENGTH OF

- 875.41 FEET, WHOSE LONG CHORD BEARS S33°21'53"W A DISTANCE OF 863.67 FEET;
52. THENCE S05°49'18"W A DISTANCE OF 31.52 FEET;
  53. THENCE S51°35'04"W A DISTANCE OF 60.00 FEET;
  54. THENCE N82°39'10"W A DISTANCE OF 31.52 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
  55. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1540.00 FEET, A DELTA ANGLE OF 03°34'52", AN ARC LENGTH OF 96.25 FEET, WHOSE LONG CHORD BEARS S55°18'35"W A DISTANCE OF 96.24 FEET;
  56. THENCE S32°53'59"E A DISTANCE OF 20.55 FEET;
  57. THENCE S35°51'09"E A DISTANCE OF 223.61 FEET;
  58. THENCE S39°48'46"E A DISTANCE OF 205.06 FEET;
  59. THENCE S41°08'31"E A DISTANCE OF 105.12 FEET;
  60. THENCE S35°41'22"E A DISTANCE OF 105.12 FEET;
  61. THENCE S35°16'51"E A DISTANCE OF 70.00 FEET;
  62. THENCE S41°20'14"E A DISTANCE OF 75.00 FEET;
  63. THENCE S63°46'18"E A DISTANCE OF 75.00 FEET;
  64. THENCE S51°15'18"E A DISTANCE OF 210.10 FEET TO A POINT ON THE SOUTHEASTERN CORNER OF SAID VISTAS FILING NO. 1 AT MERIDIAN RANCH AND THE WESTERLY RIGHT-OF-WAY LINE OF EASTONVILLE ROAD;
  65. THENCE S38°44'41"W ALONG SAID EASTONVILLE RIGHT-OF-WAY A DISTANCE OF 408.79 FEET;
  66. THENCE N89°23'27"W A DISTANCE OF 12.73 FEET TO THE NORTHEAST CORNER OF SAID TRACT F;
- THE FOLLOWING SIX (6) COURSES ARE ON SAID TRACT LINE:
67. THENCE S38°47'27"W A DISTANCE OF 315.49 FEET;
  68. THENCE N51°12'33"W A DISTANCE OF 21.28 FEET;
  69. THENCE S38°47'27"W A DISTANCE OF 1.03 FEET;
  70. THENCE S80°17'18"W A DISTANCE OF 55.16 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STAPLETON DRIVE;
- THE FOLLOWING NINE (9) COURSES ARE ON SAID NORTHERLY RIGHT-OF-WAY LINE:
71. THENCE N54°42'42"W ON SAID NORTHERLY RIGHT-OF-WAY A DISTANCE OF 113.89 FEET TO A CURVE TO THE LEFT;
  72. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1415.00 FEET, A DELTA ANGLE OF 16°26'49", AN ARC LENGTH OF 406.18 FEET, WHOSE LONG CHORD BEARS N62°55'59"W A DISTANCE OF 404.78 FEET;
  73. THENCE N89°25'42"W A DISTANCE OF 16.24 FEET TO A NON-TANGENT CURVE TO THE LEFT;
  74. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1410.00 FEET, A DELTA ANGLE OF 17°51'47", AN ARC LENGTH OF 439.60 FEET, WHOSE LONG CHORD BEARS N80°43'00"W A DISTANCE OF 437.82 FEET;

75. THENCE N89°38'53"W A DISTANCE OF 835.50 FEET;
76. THENCE N46°47'48"W A DISTANCE OF 64.84 FEET;
77. THENCE N87°58'53"W A DISTANCE OF 120.05 FEET;
78. THENCE S43°01'13"W A DISTANCE OF 64.72 FEET;
79. THENCE N89°38'53"W A DISTANCE OF 963.75 FEET TO A POINT ON THE SOUTHEAST CORNER OF TRACT F, MERIDIAN RANCH FILING NO. 1 RECORDED WITH RECEPTION NO. 203036466 IN THE RECORDS OF EL PASO COUNTY;
80. THENCE N36°20'59"W ON SAID TRACT LINE A DISTANCE OF 24.74 FEET TO A POINT ON THE SOUTHEAST CORNER OF TRACT G, OF SAID STONEBRIDGE FILING NO. 1;
81. THENCE N36°20'59"W ON SAID TRACT LINE A DISTANCE OF 1691.39 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL OF LAND CONTAINS 139.003 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW ¼ OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ASSUMED TO BEAR S89°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).