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El Paso County, CO



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RESOLUTION NO. 24-488

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO

STATE OF COLORADO

APPROVAL OF MAP AMENDMENT (REZONING)
MONUMENT RIDGE EAST RM-12 (P245)

WHEREAS Vertex Consulting Services did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone for property located within the unincorporated area of the County, more particularly described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated by reference from the PUD (Planned Unit Development), C-1 (Commercial), CS (Commercial Services), and CC (Commercial Community) zoning districts to the RM-12 (Residential, Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 21, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on December 12, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That the proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. That the proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

6. That the proposed land use will be compatible with existing and permitted land uses in the area.
7. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.
8. That changing conditions clearly require amendment to the Zoning Resolutions.
9. That for the above-stated and other reasons, the proposed Amendment to the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, pursuant to Section 5.3.5 of the El Paso County Land Development Code, as amended, in approving this amendment to the El Paso County Zoning Map, the Board of County Commissioners considered one or more of the following criteria:

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Vertex Consulting Services to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the PUD (Planned Unit Development), C-1 (Commercial), CS (Commercial Services), and CC (Commercial Community) zoning districts to the RM-12 (Residential, Multi-Dwelling) district;

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

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered

Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

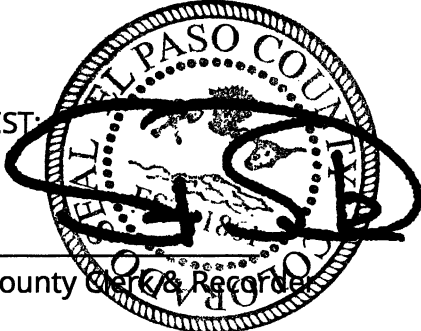
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-12 (Residential, Multi-Dwelling) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. The RM-12 zoning district is limited to the single family detached and single-family attached residential uses.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

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

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

ATTEST:
By: 
County Clerk & Recorder

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO


By: 
Chair

EXHIBIT A

A TRACT OF LAND LYING IN THE WEST 1/2 OF SECTION 2, AND THE WEST 1/2 OF SECTION 11 TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH WEST SECTION CORNER OF SAID SECTION 2 WHENCE THE WEST 1/4 CORNER OF SAID SECTION 2 BEARS SOUTH 00°06'21" EAST, A DISTANCE OF 2767.12 FEET; THENCE NORTH 89°46'22" EAST, A DISTANCE OF 1918.35 FEET; THENCE SOUTH 00°13'38" EAST, A DISTANCE OF 186.77 FEET TO THE TRUE POINT OF BEGINNING: THENCE FROM THE POINT OF BEGINNING, SOUTH 00°13'38" EAST, A DISTANCE OF 554.59 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A LENGTH OF 412.13 FEET, A RADIUS OF 715.00 FEET THENCE SOUTH 32°47'55" WEST, A DISTANCE OF 226.03 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A LENGTH OF 704.94 FEET, A RADIUS OF 835.00 FEET; THENCE SOUTH 15°34'31" EAST, A DISTANCE OF 375.61 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A LENGTH OF 254.36 FEET, A RADIUS OF 501.00 FEET; THENCE SOUTH 13°30'52" WEST, A DISTANCE OF 382.56 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A LENGTH OF 254.82 FEET, A RADIUS OF 630.71 FEET; THENCE SOUTH 89°49'59" EAST A DISTANCE OF 221.86 FEET, ALONG THE NORTH LINE OF A DEED RECORDED UNDER RECEPTION NUMBER 220189049 RECORDS OF EL PASO COUNTY; THENCE NORTH 00°45'57" EAST A DISTANCE OF 443.14 FEET; THENCE NORTH 89°08'55" WEST A DISTANCE OF 394.97 FEET; THENCE NORTH 07°26'23" EAST A DISTANCE OF 1273.67 FEET, ALONG THE WEST LINE OF A DEED RECORDED UNDER RECEPTION NUMBER 99035205 RECORDS OF EL PASO COUNTY; THENCE NORTH 07°26'00" EAST A DISTANCE OF 733.89 FEET; THENCE NORTH 29°57'52" EAST A DISTANCE OF 675.33 FEET; THENCE SOUTH 89°46'22" EAST A DISTANCE OF 417.07 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 40.51 ACRES MORE OR LESS.

Monument Ridge East RM-12 Zoning Map

NW1/4 Section 2, Township 11, Range 67 W 6th PM

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

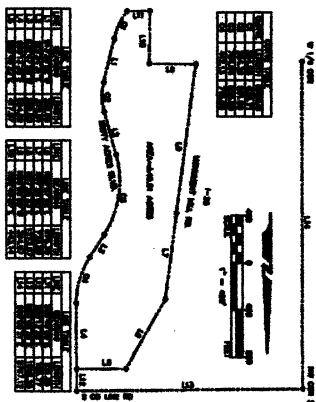
FEET;
 THENCE NORTH 89°46'22" EAST, A DISTANCE OF 1918.35 FEET;
 THENCE SOUTH 00°13'36" EAST, A DISTANCE OF 186.77 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE FROM THE POINT OF BEGINNING, SOUTH 00°13'36" EAST, A DISTANCE OF 554.59 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A LENGTH OF 412.13 FEET A RADIUS OF 715.00 FEET

A TANGENT CURVE TO THE LEFT WITH A LENGTH OF 704.94 FEET, A RADIUS OF 835.00 FEET;
 THENCE SOUTH 32°47'55" WEST, A DISTANCE OF 226.09 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A LENGTH OF 284.36 FEET, A RADIUS OF 501.00 FEET;

A TANGENT CURVE TO THE RIGHT WITH A LENGTH OF 284.36 FEET, A RADIUS OF 501.00 FEET;
 THENCE SOUTH 13°30'52" WEST, A DISTANCE OF 382.56 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A LENGTH OF 254.82 FEET A RADIUS OF 630.71 FEET;

THENCE SOUTH 89°49'59" EAST A DISTANCE OF 221.86 FEET, ALONG THE NORTH LINE OF A DEED RECORDED UNDER RECEPTION NUMBER 220189049 RECORDS OF EL PASO COUNTY;
 THENCE NORTH 00°45'57" EAST A DISTANCE OF 443.14 FEET;
 THENCE NORTH 89°08'55" WEST A DISTANCE OF 394.97 FEET;
 THENCE NORTH 07°26'23" EAST A DISTANCE OF 1273.67 FEET, ALONG THE WEST LINE OF A DEED RECORDED UNDER RECEPTION NUMBER 99035205 RECORDS OF EL PASO COUNTY;

THENCE NORTH 07°26'00" EAST A DISTANCE OF 733.89 FEET;
 THENCE NORTH 29°57'52" EAST A DISTANCE OF 675.33 FEET;
 THENCE SOUTH 89°46'22" EAST A DISTANCE OF 417.07 FEET TO THE POINT OF BEGINNING.
 SAID PARCEL CONTAINS 40.51 ACRES MORE OR LESS.



<p>Submittal No.: 710220013 Zone: RM-12 Area: 40.51 AC Current Zoning: PUD, CC, CS, C-1, RS-20000 Request: Request for approval of a map amendment (rezone) of 40.51 acres to the RM-12 (Residential Mid-Density) zoning district.</p>	<p>Owner: Monument Ridge East, LLC 6059 1st Drive Colorado Springs, CO 80919</p>	<p>VERTEX Consulting Services 974 West 10th Street Suite 200 Fort Collins, CO 80521 970.775.1588</p>
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