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El Paso County, CO



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**RESOLUTION NO. 21-181**

**EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF COLORADO**

**APPROVAL OF THE CROSSROADS AT MEADOWBROOK APARTMENTS MAP AMENDMENT (REZONING) (P-20-008)**

**WHEREAS** Colorado Springs Equities, LLC, 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 CR (Commercial Regional) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district; and

**WHEREAS**, a public hearing was held by the El Paso County Planning Commission on April 15, 2021, 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 May 11, 2021; 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 Colorado Springs Equities, LLC, 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 CR (Commercial Regional) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district;

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

**CONDITIONS**

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-30 (Residential Multi-Dwelling) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

**NOTATION**

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.

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

DONE THIS 11<sup>th</sup> day of May, 2021 at Colorado Springs, Colorado.

ATTES  
By:   
County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By:   
Chair

**EXHIBIT A**

A portion of Tract B and Meadowbrook Parkway, a public Right-of-Way, 24/94 Business Park Filing No. 1 recorded April 14<sup>th</sup>, 2017 as Reception Number 217713939 and amended by Affidavit of Correction recorded August 19, 2019 as Reception Number 219097386 in the records of El Paso County, Colorado, located in the Southwest 1/4 of Section 8, Township 14 South, Range 65 West, of the 6<sup>th</sup> P.M., being more particularly described as follows:

**COMMENCING** at the northeast corner of Tract A of said 24/94 Business Park Filing No. 1; thence  $S74^{\circ}39'21''W$  (Basis of Bearings is a line monumented on the east by #4 rebar with a red plastic cap, illegible, flush with grade, located on the northeast corner of Tract A of said 24/94 Business Filing No. 1, and on the west by #5 rebar with a red plastic cap stamped "PLS 32820", flush with grade, located 57.81 south of the northwest corner and along the west line of Tract B, 24/94 Business Park Filing No. 1, recorded in the records of the El Paso County Clerk and Recorder on April 14, 2017 under Reception Number 217713939, measured to bear  $S74^{\circ}39'21''W$ , a distance of 2093.95 feet), a distance of 2093.95 feet, to a point on the west line of said Tract B, also being the **POINT OF BEGINNING**; thence continuing along the west line of said Tract B,  $N03^{\circ}55'24''E$ , a distance of 57.81 feet, to the northwest corner of said Tract B; thence  $N03^{\circ}54'41''E$ , a distance of 40.11 feet, to the center line of said Meadowbrook Parkway; thence along said center line,  $N89^{\circ}43'15''E$ , a distance of 624.81 feet; thence leaving said center line  $S00^{\circ}07'03''W$ , a distance of 40.01 feet, to a point on the north line of said Tract B; thence  $S00^{\circ}07'03''W$ , a distance of 767.20 feet; thence  $S34^{\circ}50'21''E$ , a distance of 100.79 feet, to a point on the south line of said Tract B; thence along said south line,  $S57^{\circ}41'24''W$ , a distance of 163.39 feet; thence continuing along said south line, along the arc of a non-tangent curve to the right, whose center bears  $N36^{\circ}00'18''W$ , having a radius of 1780.00 feet, a central angle of  $22^{\circ}27'20''$ , a distance of 697.62 feet, to the southwest corner of said Tract B; thence along the west line of said Tract B,  $N03^{\circ}55'24''E$ , a distance of 1169.77 feet, to the **POINT OF BEGINNING**.

Containing 746,903 Sq. Ft. or 17.146 acres, more or less.