


EL PASO COUNTY
COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Board of County Commissioners
 Stan VanderWerf, Chair

FROM: Kari Parsons, Planner III
 Gilbert LaForce, PE Engineer III
 Craig Dossey, Executive Director

RE: Project File #: P-20-008
 Project Name: Crossroads at Meadowbrook Apartments
 Parcel No.: 54080-07-005

OWNER:	REPRESENTATIVE:
Colorado Springs Equities, LLC 90 S. Cascade Ave., Suite 1500 Colorado Springs, CO 80903	Kimley-Horn and Associates 2 N. Nevada Avenue, Suite 300 Colorado Springs, CO 80903

Commissioner District: 2

Planning Commission Hearing Date:	4/15/2021
Board of County Commissioners Hearing Date:	5/11/2021

EXECUTIVE SUMMARY

A request by Colorado Springs Equities, LLC, for approval of a map amendment (rezone) of 17.146 acres of a 29.04-acre tract from CR (Commercial Regional) to the RM-30 (Residential Multi-Dwelling). The parcel is located at the northwest corner of the Meadowbrook Parkway and Highway 24 intersection and is within Section 8, Township, 14 South, Range 65 West of the 6th P.M. The property is within the CAD-O (Commercial Airport Overlay District) zoning overlay. The property is not included within the boundaries of a small area plan. The portion of the property included within the map amendment (rezone) request is a portion of the 29.04-acre Tract B; the 11.69 acres balance is proposed remain within the CR zoning district. A preliminary plan for the entire 29.04-acre

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property is under concurrent review and includes ten (10) commercial lots and one (1) multi-family dwelling lot, which is the portion of the property included within this map amendment (rezone) request.

A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

Request: A request by Colorado Springs Equites, LLC, for approval of a map amendment (rezone) of 17.15 acres from CR (Commercial Regional) to RM-30 (Residential Multi-Dwelling).

Waiver(s)/Deviation(s): There are no waivers or deviations associated with the map amendment (rezone) request.

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

B. Planning Commission Summary

Request Heard: As a Consent item on April 15, 2021

Recommendation: Approval based on recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 9 to 0

Vote Rationale: N/A

Summary of Hearing: The applicant was represented at the hearing.

Legal Notice: Advertised in Shopper's Press on April 21, 2021

C. APPROVAL CRITERIA

In approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2019):

- 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 Land Development Code, for the intended zone district.

D. LOCATION

North:	RS-5000 (Residential Suburban)	Single Family Detached
South:	C-1 (Commercial)/ CS (Commercial Service) RR-5 (Residential Rural)	Commercial Single Family Attached
East:	CR (Commercial Regional)	Vacant
West:	CR (Commercial Regional)	Vacant

E. BACKGROUND

The property was zoned A-4 (Agricultural) and M (Industrial-Obsolete) at the time of initial zoning for this portion of El Paso County on May 11, 1942. A map amendment (rezone) to PID (Planned Industrial) (PCD File No. PID-85-012) and PBC (Planned Business Center) (PCD File No. PBC-85-007) was approved by the Board of County Commissioners on August 8, 1985. Due to changes in the nomenclature of the Land Development Code, the PID zoning district was renamed as I-2, and the PBC zoning district was renamed as CR (Commercial Regional). A map amendment (rezone) of the I-2-zoned portion of the parcel to the CR zoning district was approved on August 12, 2014 (PCD File No. CR-14-001). The entire 29.04-acre subject parcel is currently zoned CR.

The land included within the map amendment (rezone) request was platted as a future development tract known as Tract B of the 24/94 Business Park Filing No. 1 subdivision on April 14, 2017. An avigation easement for the benefit of the City of Colorado Springs Airport was recorded with the 24/94 Business Park Filing No. 1 subdivision plat (Reception No. 216090669).

The applicant is requesting a map amendment (rezone) of 17.15 acres of the 29.04 acre tract from the CR zoning district to the RM-30 zoning district. If the map amendment (rezone) is approved, then the applicant will seek approval of a preliminary plan and final plat(s) to allow for the creation of one (1) multi-dwelling lot for a 300-unit apartment home development and ten (10) commercial lots. A preliminary plan application (PCD File No. SP-20-011) for the entire 29.04-acre parcel is under concurrent review but due to outstanding comments has not yet been scheduled for public hearing.

F. ANALYSIS

1. Land Development Code Analysis

The applicant is proposing a map amendment (rezone) of 17.15 acres from CR to RM-30. The area included within the map amendment (rezone) request was platted as a tract intended for future development as part of the 24/94 Business Park Filing No. 1 subdivision in 2017.

This portion of El Paso County has experienced, and continues to experience, significant growth and development along the Meadowbrook Parkway, Marksheffel Road, and Highway 24 corridors. Immediately adjacent to the north is the Meadowbrook Crossing Subdivision, which has been completely built out and is zoned RS-5000 (Residential Suburban). Highway 24 borders the southern property line of the proposed development area. Across Highway 24 from the subject property to the south exists a mix of commercial uses and a residential dwelling. The land west of the proposed development area is zoned CR and is currently vacant. Circle K Gas and Convenience Store, which is also zoned CR, is located to the east of the proposed development.

The Claremont Business Park is located east of the proposed development area along Meadowbrook Parkway and is zoned CS (Commercial Service). The Claremont Business Park has been developing since 2005. A preliminary plan is in review for a large commercial center to be known as "Crossroads North", which is located approximately one quarter (1/4) of a mile southeast of the subject property at the Highway 24 and Highway 94 intersection. The land uses allowed within the proposed RM-30 zone district are compatible with the existing and approved urban level commercial and residential development surrounding the subject property.

The property is also within the CAD-O (Commercial Airport Overlay District) zoning overlay. The CAD-O was adopted by the Board of County Commissioners pursuant to C.R.S §30-28-113 et seq. and 41-4-101 et seq. The purpose of the CAD-O district is to ensure compliance with the Federal Aviation Administration, to ensure free and unobstructed passage of all aircraft through and over airspace, and to acknowledge that private property owners have a property interest in usable airspace above the surface of their property. A referral was sent to the Colorado Springs Airport Advisory Commission (CSAAC) for review and comment. The CSAAC provided comment that they did not have concerns with the proposed multi-family uses allowed within the proposed RM-30 zone district and requested an aviation easement at the time of plat recordation. The property is not within the APZ (Accident Potential Zone). Section 4.3.1 CAD-O, Commercial Airport Overlay District of the Land Development Code requires an Airport Activity Notice and

Disclosure to be recorded against the title of the property at the time of the final plat, but does not require provision of an avigation easement. More specifically, Section 4.3.1 of the Code states:

“The following are required prior to approval of any rezoning or subdivision plat:

- The request shall be referred to Airport Advisory Commission for review and comment.
- Airport Activity Notice and Disclosure shall be required to be recorded against the title of the property as a condition of approval.”

The applicant has recorded the requested avigation easement against the property and an Airport Activity Notice and Disclosure was previously recorded against the title of the property with the 24/94 Business Park Filing No. 1 subdivision final plat recordation.

2. Zoning Compliance

The applicant is requesting approval of a map amendment (rezone) of 17.15 acres from CR (Commercial Regional) to the RM-30 (Residential Multi-Dwelling). The RM-30 (Residential Multi-Dwelling) zoning district is a 30-dwelling unit per acre district primarily intended to accommodate moderate-density multi-dwelling development. The density and dimensional standards for the RM-30 zoning district are as follows:

- Minimum lot size: 5000 square feet* **
- Minimum width at the front setback line: 75 feet
- Minimum setback requirement: front 25 feet, side 15 feet, rear 15 feet ***
- Maximum lot coverage: 60 percent
- Maximum Height: 40 feet

*The 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.

**If the building is established as or converted to condominium or townhome units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area and setbacks requirements, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements. A 25-foot perimeter boundary setback shall be maintained around the entire development, but a zero-foot setback is allowed along any internal lot line within the development.

*** The minimum distance between buildings shall be 10 feet.

Approval of a preliminary plan and final plat(s) will be required to subdivide the 29.04-acre area into the proposed 17.15-acre multi-family lot and 10 commercial lots. The applicant will be required to demonstrate compliance with both the RM-30 (Residential Multi-Dwelling) and CR (Commercial Regional) zoning district dimensional standards in association with each of the future preliminary plan and final plat applications.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County Master Plan.

Relevant policies are as follows:

Policy 6.1.1 – Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.

Policy 6.1.3- Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use, and access.

Policy 6.1.8 – Encourage incorporation of buffers or transitions between areas of varying use or density where possible.

Policy 6.1.11 – Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 6.2.1 – Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.

The proposed map amendment is adjacent to a single-family development to the north, which is zoned RS-5000 (Residential Suburban). The proposed located to the south, east, and west are all commercially zoned. The proposed map amendment (rezone) to the RM-30 (Residential Multi-Dwelling) zone district is anticipated to provide a transition between the single-family detached development and the commercial uses to the south, east, and west of the subject property.

The anticipated multi-family development of the property will require approval of a site development plan. The site development plan will need to include landscaping, screening, and buffering pursuant to the requirements of Chapter 6 of the Land Development Code. The landscaping, screening, and buffering is anticipated to help mitigate potential visual impacts so that the anticipated multi-family development is functionally and aesthetically integrated with the single-family development to the north as well as the surrounding commercial development. Additionally, the anticipated multi-family development may help support interdependent land uses in the area, such as the concurrently reviewed commercial developments to the east and southeast, by providing a varied housing type for employees.

The proposed map amendment (rezone) is a logical extension of existing urban development in the area and will provide a transition from the anticipated future commercial development located immediately adjacent to the south and west and the single-family residential development located immediately adjacent to the north.

4. Small Area Plan Analysis

The properties are not included within a small area plan.

5. Water Master Plan Analysis

The El Paso County Water Master Plan (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 1.2 – Integrate water and land use planning.

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

The subject properties are located within Region 5, Cherokee Metropolitan District Service Area, which is not expected to experience significant growth in the County by 2060. Specifically, the Plan states:

“Region 5 consists of areas served by the Cherokee Metropolitan District and is not expected to experience significant growth by 2060. But the District could consider expanding water and sewer service to growth areas outside of Region 5. No specific growth map was created for Region 5; these areas are shown on other maps.”

Region 5 has a current water supply of 4,849-acre feet per year and a current demand of 4,396-acre feet per year. The 2040 water supply is projected to be 6,800 acre-feet per year and the projected demand is 6,468 acre-feet per year, resulting in surplus of 332 acre-feet. The 2060 water supply is projected to be 10,131 acre-feet per year and the projected demand is 9,608 acre-feet per year, resulting in surplus of 523 acre-feet

Cherokee Metropolitan District participated in the water provider surveys in conjunction with developing the Water Master Plan. The needs analysis in the Plan states that the District will need to obtain additional water supplies required for the 2040 and 2060 horizons compared to the supplies currently available today. The District’s participation in the planning effort indicates that the District is aware of their future water needs and anticipates adding water supplies incrementally to meet the growing and projected demands.

The applicant anticipated central water and wastewater service to the development will be provided by Cherokee Metropolitan District. A commitment letter is not required with a map amendment (rezone) application; however, a commitment letter was received with the concurrently reviewed preliminary plan. A finding of sufficiency regarding water quantity, quality, and dependability is not required for a map amendment (rezone) but will be required at the subdivision stage of development.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. The El Paso County Community Services Department, Environmental Services Division, was sent a referral and has no outstanding comments. A natural features report and noxious weed management plan will be required and reviewed with the preliminary plan application.

The Master Plan for Mineral Extraction (1996) identifies potential coal deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist. “[T]he area of the site has been mapped "Poor" for coal resources, no active or inactive mines have been mapped in the area of the site. No metallic mineral resources have been mapped on the site.” (RMG Engineering Group, Soils and Geology Study Crossroads Commercial, Section 7, Economic Mineral Resources. March 3, 2021)}

The El Paso County Parks Master Plan (2013) does not depict any parks, trails, or open space within the map amendment area.

Please see the Transportation section below for information regarding conformance with the 2016 Major Transportation Corridor Plan Update (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified with the map amendment (rezone) application.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential

3. Floodplain

The property is not impacted by any designated 100-year flood plain (Zone X) as indicated by FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0754 G and 08041C0752 G, which have an effective date of December 7, 2018

4. Drainage and Erosion

The property is located in the Sand Creek drainage basin (FOMO4000), which is a studied basin. The drainage fee shall be calculated as part of subsequently required final drainage report and must be paid at the time of final plat recordation.

A preliminary drainage report is included with the concurrently reviewed preliminary plan (PCD File No. SP-20-011). The preliminary drainage report provides hydrologic and hydraulic analysis to identify and mitigate drainage impacts to the surrounding properties by providing water quality and flood control detention.

5. Transportation

The El Paso County 2016 Major Transportation Corridors Plan Update depicts additional roadway improvement projects in the immediate vicinity of the development, which include upgrades to the interchange of Highway 24 and Highway 94, and future widening of Highway 24 from Powers Boulevard to Highway 94. Coordination with all adjacent local jurisdictions is occurring to determine the extent of these improvements.

A master traffic impact study for the area is included with the concurrently reviewed preliminary plan and the concurrently reviewed Crossroads North preliminary plan located to the southeast of the subject parcel. The findings within the master traffic impact study are under review and will be finalized with the concurrent preliminary plans under review. It is anticipated that the multi-family residential dwelling development will require construction of Meadowbrook Parkway from its current terminus at Newt Drive to the subject property.

The development will be subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471), as amended, at the time of building permit authorization. The applicant has not requested inclusion into a public improvement district; therefore, fees for each of the anticipated residential and commercial lots shall be paid in full at the time of building permit issuance.

H. SERVICES

1. Water

Central water supply service will be provided by Cherokee Metropolitan District. The District has provided a commitment letter to serve the anticipated development with the concurrently reviewed preliminary plan.

2. Sanitation

Central wastewater service will be provided by Cherokee Metropolitan District. The District has provided a commitment letter to serve the anticipated development with the concurrently reviewed preliminary plan.

3. Emergency Services

The property is within the Cimarron Hills Fire Protection District. The District was sent a referral and has provided no response.

4. Utilities

Electrical and natural gas services will be provided by Colorado Springs Utilities (CSU). CSU was sent a referral for the map amendment and has no outstanding comments.

5. Metropolitan Districts

The property is included within Cherokee Metropolitan District, which provides central water and sewer services in the area. The District does not have ad valorem (property tax) mill levy.

6. Parks/Trails

Land dedication or fees in lieu of park land dedication are not required with a map amendment (rezoning) application. Fees will be required at the subdivision stage of development.

7. Schools

Land dedication or fees in lieu of school land dedication are not required with a map amendment (rezoning) application. Fees will be required at the subdivision stage of development.

I. APPLICABLE RESOLUTIONS

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Disapproval Page 28

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should 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 El Paso County Land Development Code (2019), staff recommends the following conditions and notations.

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-family) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. A site-specific traffic study shall be required with the site development plan for the anticipated multi-family residential dwelling as required by Engineering Criteria Manual (2019), Appendix B.1.2.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 30 adjoining property owners on March 25, 2021, for the Board of County Commissioners meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

- Vicinity Map
- Letter of Intent
- Map Amendment (Rezone) Map
- Commercial Airport Overlay District Map
- Planning Commission Resolution
- Board of County Commissioners' Resolution

El Paso County Parcel Information

File Name: P-20-008

PARCEL	NAME
5408007	COLORADO SPRINGS EQUIP

Zone Map No. --

Date: March 24, 2021



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 13 (719) 520-6600



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Crossroads at Meadowbrook (Mixed Use)

Map Amendment (Rezone)

Letter of Intent

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

COLORADO SPRINGS EQUITIES, LLC
90 S. CASCADE AVENUE, SUITE 1500
COLORADO SPRINGS, CO 80903

PLANNING

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

ENGINEERING

MS CIVIL CONSULTANTS
102 E. PIKES PEAK, 5TH FLOOR
COLORADO SPRINGS, CO 80903

SURVEYING

CLARK LAND SURVEYING, INC
177 S. TIFFANY DRIVE, UNIT 1
PUEBLO WEST, CO 81007

SITE/BACKGROUND INFORMATION

LOCATION, ACREAGE, PARCEL ID INFO, & ZONING

The site (Parcel ID No. 5408007005) is located at the northwest corner of intersection of U.S. State Highway 24 and Meadowbrook Parkway. The property is ±29.04 AC and CR CAD-O (Commercial Airport Overlay District).

REQUEST

Rezone 17.15 AC from the CR zone to the RM-30 CAD-O district. The remaining property (±11.69 AC) will remain in the CR CAD-O zone. The total 17.15 AC rezone acreage consists of a future 17.15 AC multifamily site, 3.244 acres of park/open space, public improvements, and drainage tracts, and 0.575 AC of ROW from the northern property boundary of the proposed multifamily site to the future centerline of Meadowbrook Parkway. Although the total proposed zone district acreage is 17.15 AC, the multifamily site will be referred to by its proposed development acreage of 11.69 AC.

The site proposed rezone is in support of the development of 300 multifamily units in multiple buildings. A concurrent preliminary plan conforming to the proposed acreage has been submitted for review and approval (PCD File No. SP-20-011). All future rezoning, subdivision, and/or land use applications will be subject to the restrictions and limitations of the Airport Overlay. The preliminary plan will clarify zone district boundaries with respect to ROW and proposed multifamily lot and adjoining commercial lots.

JUSTIFICATION

Criteria for Approval. In approving a Map Amendment, the following findings shall be made:

- **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 area is not within the boundaries of any small area comprehensive plan. However, the El Paso County Policy Plan is cited as guidance for broader land use issues surrounding the proposed development:

- **Policy 6.1.1 - Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.**

The proposed multifamily zoning is consistent with the existing and proposed land use mixes as proposed for the site and identified as projected (conceptual) uses and layouts associated with the preliminary plan for the remaining commercial portions of the site. The proposed RM-30 land uses include multifamily dwellings and accessory uses, including rental office, surface and garage parking, and private recreational facilities for use by residents include employment housing, commercial retail, and commercial services in this urban area of the County.

The proposed rezone will accommodate a higher density rental housing market that provides both a supporting consumer base and workforce in support of the surrounding commercial developments.

- **Policy 6.1.2 - Discourage the location of small discontinuous land development projects where these might not develop the critical land area and density necessary to be effectively provided with services or remain viable in the face of competing land uses.**

The mixed-use project and the proposed densities and land uses are an appropriate infill development alternative to complement the existing residential, commercial, industrial mix of uses and zones. Higher density multifamily residential land uses adjacent to commercial zones and uses and provide

appropriate density transitions between lower density single-family land uses near and adjacent to commercial zones and uses.

Required services are available to support the planned mixed-use development. Fire protection and emergency services will be provided by Cimarron Hills Fire Protection District, water/wastewater service by Cherokee Metropolitan District, and electric/natural gas service by CSU. All respective entities have provided service commitments which were provided with the preliminary plan submittal. Water/wastewater findings are pending completion of State and County review. Additional review of service providers' capacity and/or specific service needs to be will be provided with subsequent subdivision applications.

- **Policy 6.1.3 - Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.**

The proposed multifamily zoning and land uses are consistent with the single-family detached, commercial, service oriented and light industrial that characterize the Meadowbrook (Formerly Claremont Business Park Filing No. 2) and the adjacent Claremont Business Park. Access to these existing developments from Marksheffel Road to the east is via the existing Meadowbrook Parkway. Meadowbrook Parkway will be extended westward along the northern parcel boundary and will temporarily terminate at the RM-30 zone district boundary. The accompanying preliminary plan identifies the construction of the road westward from Newt Drive to the development/rezone boundary. Future extension of the road westward to Peterson Road will be provided with adjacent subdivision plats pending final design and right of way dedication.

No direct access is provided from the site to State Highway 24. Access to State Highway 24 is via an extension of Meadowbrook Parkway Southward to State Highway 24 at a signalized alignment with the terminus of US Highway 94 at Highway 24.

The proposed ±12.695 AC of multifamily land uses together with the planned commercial development and preliminary plan for apartment and commercial land uses are consistent with the existing single-family, commercial, light and heavy industrial land uses within the larger land use planning area. The planned multifamily uses, open spaces, and perimeter buffering, screening and landscaping will provide use and density transitions between and among the existing commercial zone (CR) and single-family residential uses in the RS-5000 zone located in the existing Meadowbrook Crossing Filings north of the site, against the highway corridor, and the unplanned vacant properties west of the site to Peterson Road.

Required zoning district, use to use, roadway, and use specific landscape buffers, setbacks, screening, open space, and/or landscape planting requirements will be identified on all preliminary plan and final plat maps and included in subdivision improvements and financial assurances as required by Code or Condition of Approval to mitigate any unique circumstance.

- **Policy 6.1.4 - Encourage the logical timing and phasing of development to allow for the efficient and economical provision of facilities and services.** Necessary urban services are currently available to meet the use demands of the proposed mixed-use development, specifically the multifamily service demands. The subdivision review will identify system or service deficiencies as well as clarify specific development demands of which the service providers will express respective needs in order to meet projected demands.
- **Policy 6.1.5 - Support the development of well-planned mixed-use projects which promote all, or most, of the following objectives:**
 - *maximize the economy and efficiency of land use*
 - *preserve open space or natural areas*
 - *integrate employment, housing, shopping, schools and other use*
 - *accommodate multi-modal transportation linkages*
 - *allow for variations in design and character*

The proposed multifamily residential densities 300 units (households on ±12.695 AC) maximizes the economy and efficiency in the land use, albeit in favor of the residential mix. The rezone and planned development of the site integrates employment, housing, shopping, commercial/service retail, and employment within an area defined by the single-family residential Meadowbrook Crossing development and East Fork Sand Creek channel to the north, Peterson Road to the west, Marksheffel to the east, and US 24 to the south.

The site accommodates access to the public transportation network which includes vehicular, pedestrian, and bicycle access together with trails and access to public transit. Properties will have access to private taxi and transportation services such as lyft, uber, and other ride share or professional jitney services.

The site has pedestrian access via planned sidewalk extensions along Meadowbrook Parkway proceeding easterly to existing pedestrian facilities within the Newt Drive ROW. This connection will provide southerly access to the proposed Highway 94 Secondary Regional Trail and the proposed Highway 94 Bicycle Route, which begin at the intersection of Newt Drive/Highway 94 and State Highway 24 intersection. The planned trail/bicycle routes travel east, away from the project site. Site residents will also have convenient access to the Falcon/Garrett Road Candidate Open Space land is located 0.5 mile to the east of the

project site. The overall preliminary plan provides a 3.11-acre park site south of the proposed rezone parcel.

- **Policy 6.1.6 - Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.**

Necessary urban level services including, but not limited to water/sewer, stormwater, electric, natural gas, police, fire and EMS, schools, parks and open spaces, and other public facilities and services are currently delivered to residential, commercial, and light industrial properties adjacent to this proposed development.

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

- Water & Wastewater Services: Cherokee Metropolitan District
- Natural Gas: Colorado Springs Utilities
- Electric Service: Mountain View Electric Association
- Fire Protection: Cimarron Hills Fire Protection District
- Public Schools: Colorado Springs District #11
- Library Services: Pikes Peak Library District:
- Roads: El Paso County Road and Bridge
- Police Protection: El Paso County Sheriff's Department
- Special District Services: Meadowbrook Crossing Metro District

Water Master Plan Conformance:

Water Master Plan Planning Regions Map identifies the site within the Map REGION 5, and is within the Cherokee Metropolitan District (CMD) Service Area. Region 5 consists of areas served by CMD and is not expected to experience significant growth by 2060. However, the District may expand water and sewer service to growth areas outside of Region 5.

CMD has sufficient supply and existing infrastructure in the area to serve this infill development. Water quality is good and Cherokee is in compliance with all regulatory limits. Cherokee has committed to serve the water supply demand for the multifamily use of 72.9 AF/yr. 61.2 AF/yr is allocated for domestic use; 11.7 AF/yr is committed for irrigation.

The primary source of water resources for the district are withdrawn from alluvial groundwater supplies in the Upper Black Squirrel Basin. The District has developed a groundwater well field in the Black Forest area to access Denver Basin water owned by CMD, the construction of a new Water Reclamation Facility to treat its wastewater for use in recharge of the Upper Black Squirrel Creek aquifer, and developed non-potable wells for irrigation of its golf course.

CMD operates its Water Reclamation Facility (WRF) and Rapid Infiltration Basins (RIBs), which takes wastewater from CMD’s and Meridian Service MD’s service areas, treats, and discharges to the RIBs. From the RIBs, the water percolates into the ground, blends with native groundwater.

CMD has a collection of wells, pump stations, conveyance pipelines, storage tanks, and treatment facilities to deliver potable water to its customers.

The general delivery system begins with raw water produced from the well fields in the UBSC. Raw water quality from the UBSC is good, and generally only requires chlorination. This water is first delivered to the Ellicott Tank (0.5 MG) located near Ellicott. A pump station at the Ellicott Tank disinfects and conveys water along Highway 94 west to the CMD service area via a 30-inch pipeline. The 30-inch pipeline terminates at Tank 1 (3 MG) at the south end of Cimarron Hills. Two booster pump stations at Tank 1 can deliver water to Tank 2 (3 MG) and Tank 4 (4 MG), located centrally in Cimarron Hills. A booster pump station at this location delivers water to Tank 3 (5 MG), at the northern end of Cimarron Hills.

Existing Water Storage Tanks

Tank Name	Volume (MGAL)
ELLCOTT TANK	0.5
TANK 1	3.0
TANK 2	1.0
TANK 3 (TAMLIN)	5.0
TANK 4	3.0
FRANK ROAD TANK	2.0
SUNDANCE TANK	0.5
TOTAL	15.0

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

The property is within the Business 24/94 Business Park, Filing No. 1 and is adjacent to the Claremont Ranch Business Park and the Meadowbrook Crossing residential development. As previously discussed within this letter, the proposed rezone and multifamily land uses and densities are compatible with existing and surrounding residential, commercial, light industrial, and transportation (US 24) land uses.

The proposed ±12.695 AC of multifamily land uses together with the planned commercial development and preliminary plan for apartment and commercial land uses are consistent with the existing single-family, commercial, light and heavy industrial land uses within the larger land use planning area. The planned multifamily uses with open spaces and perimeter buffering and landscaping will provide a land use transition between the existing commercial zone (CR) and single-family residential uses on the north side of the planned Meadowbrook Parkway located in the existing Meadowbrook Crossing Filings, and against the highway corridor and the unplanned properties west of the site to Peterson Road.

- **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 multifamily use, including the ability to meet the standards as described in Chapter 5 of the County Code. General site suitability for development reviewed with previous development applications for existing adjacent developments in terms of geology, service availability, unmitigable environmental impacts, major land use impacts, aviation overlay, and military adjacency considerations.

Site grading will provide an optimal site plane that can conform to acceptable grades for building construction and stormwater runoff needs. A preliminary grading and erosion control plan conforming to the requirements of the LDC and ECM has been submitted with the concurrent preliminary plan. The RM-30 apartment uses will be buffered and screened from adjacent roadways including the State Highway 24 located south of the site. The site is buffered from the highway by a 3.11-acre park/open space and stormwater tract. Final buffering, screening, and building orientation will be reviewed at the site development plan submittal. See concept plan and elevations attached to this letter of intent for general illustration of the site layout and adjacent land use relationships.

The site is also suitable Site suitable in terms of the current or future 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)

CROSSROADS AT MEADOWBROOK-REZONE MAP

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 8, T14S, R65W, OF THE 6th P.M., EL PASO COUNTY, COLORADO

LEGAL DESCRIPTION:

A portion of Tract B and Meadowbrook Parkway, a public Right-of-Way, 24/94 Business Park Filing No. 1 recorded April 14th, 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 6th 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°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°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°55'24"E, a distance of 57.81 feet, to the northwest corner of said Tract B; thence N03°54'41"E, a distance of 40.11 feet, to the center line of said Meadowbrook Parkway; thence along said center line, N89°43'15"E, a distance of 624.81 feet; thence leaving said center line S00°07'03"W, a distance of 40.01 feet, to a point on the north line of said Tract B; thence S00°07'03"W, a distance of 767.20 feet; thence S34°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°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°00'18"W, having a radius of 1780.00 feet, a central angle of 22°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°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.

ESTATE OF VENEZIA & JOHN DECD
ZONE: CR CAD-0

JOVENCHI II
ZONE: CR CAD-0

COLORADO SPRINGS
EQUITIES LLC
ZONE: CR CAD-0
PROPOSED ZONE:
RM-30 CAD-0
±17.15 ACRES

COLORADO SPRINGS EQUITIES LLC
ZONE: CR-5000 CAD-0
±11.69 ACRES (REMAINING IN EXISTING ZONE)

U.S. HWY NO. 24
(PUBLIC R.O.W. VARIES)

1111 ROYER LLC
ZONE: I-2 CAD-0
COMMERCIAL

LACA-LOJA LP
ZONE: CS CAD-0
COMMERCIAL

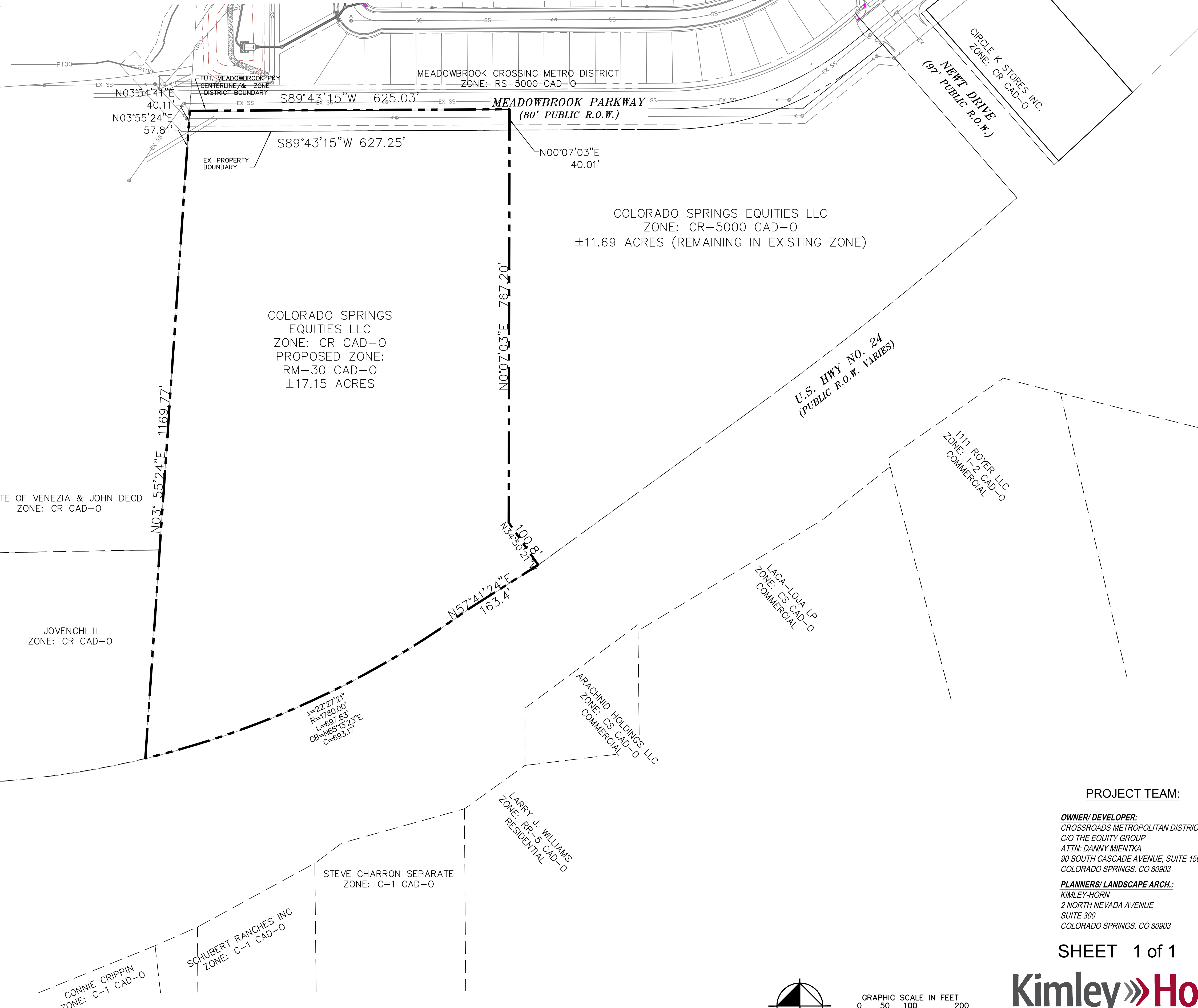
ARACHNID HOLDINGS LLC
ZONE: CS CAD-0
COMMERCIAL

LARRY J. WILLIAMS
ZONE: RR-5 CAD-0
RESIDENTIAL

STEVE CHARRON SEPARATE
ZONE: C-1 CAD-0

SCHUBERT RANCHES INC
ZONE: C-1 CAD-0

CONNIE CRIPPIN
ZONE: C-1 CAD-0



PROJECT TEAM:

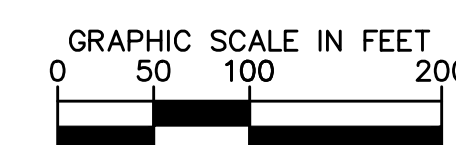
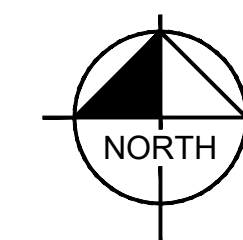
OWNER/DEVELOPER:
CROSSROADS METROPOLITAN DISTRICT NO. 1
C/O THE EQUITY GROUP
ATTN: DANNY MIENKA
90 SOUTH CASCADE AVENUE, SUITE 1500
COLORADO SPRINGS, CO 80903

PLANNERS/ LANDSCAPE ARCH.:
KIMLEY-HORN
2 NORTH NEVADA AVENUE
SUITE 300
COLORADO SPRINGS, CO 80903

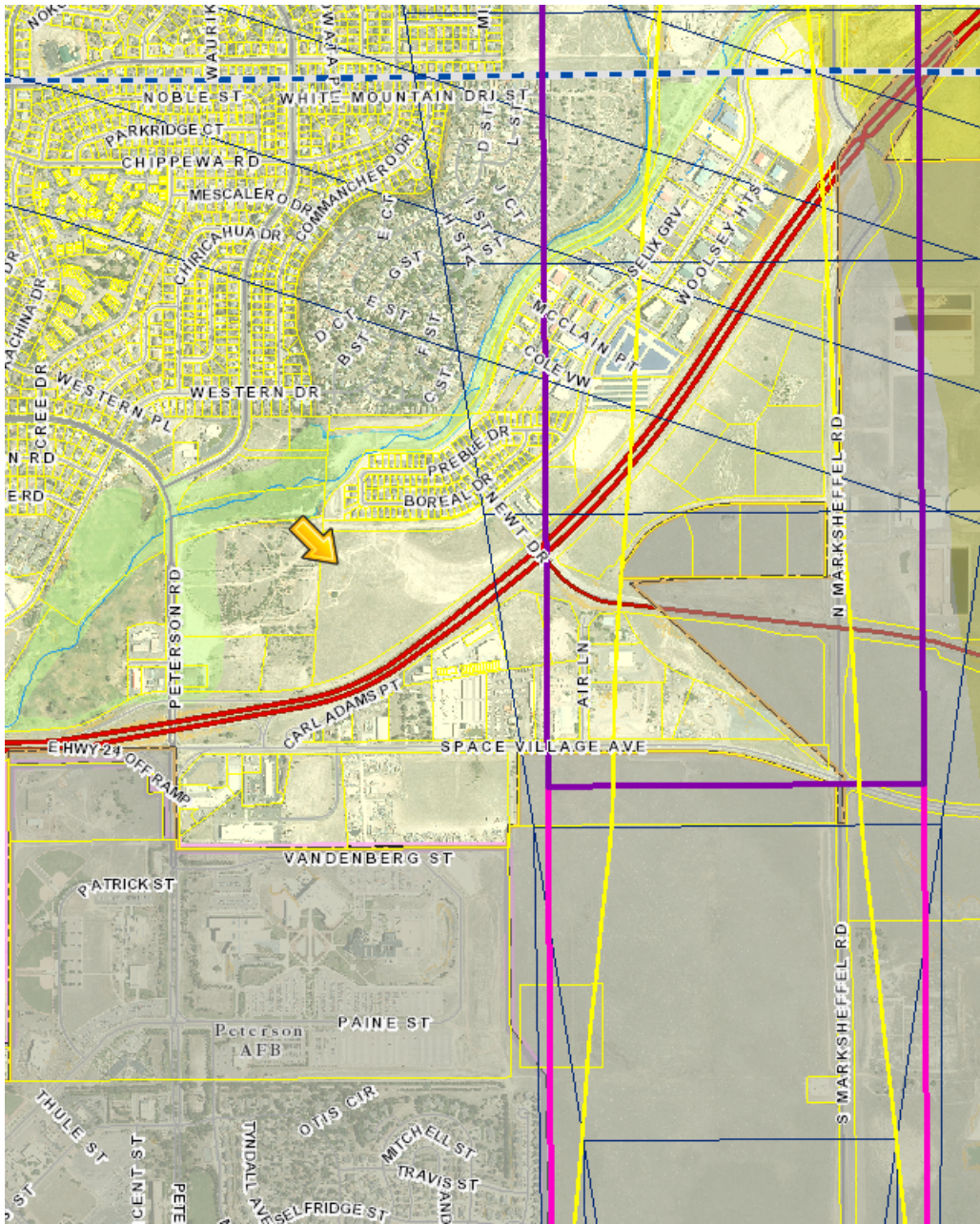
SHEET 1 of 1

Kimley»Horn

© 2020 KIMLEY-HORN AND ASSOCIATES, INC.
2 N NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, COLORADO 80903 (719)453-0180



CAD-O MAP



✓ Air Features

✓ CS Airport 2017 Noise Contours

- 65 dB
- 70 dB
- 75 dB

✓ Airport Accident Zone

- Clear Zone
- APZ I
- APZ II

✓ Part77 Surfaces

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

Commissioner Fuller moved that the following Resolution be adopted:

**BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF EL PASO
STATE OF COLORADO
RESOLUTION NO. P-20-008
CROSSROADS AT MEADOWBROOK APARTMENTS**

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

WHEREAS, a public hearing was held by this Commission on April 15, 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, 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 was 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 were heard at that hearing.
4. 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.
5. The proposed land use or zone district is compatible with existing and permitted land uses and zone districts in all directions.

6. 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
7. 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. 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the petition of Colorado Springs Equities, LLC, for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the CR (Commercial Regional) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district be approved by the Board of County Commissioners:

BE IT FURTHER RESOLVED that the Planning Commisison recommends 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.
3. A site-specific traffic study shall be required with the site development plan for the anticipated multi-family residential dwelling as required by Engineering Criteria Manual (2019), Appendiz B.1.2.

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 that this Resolution and the recommendations contained herein be forwarded to the Board of County Commissioners for its consideration.

Commissioner Lucia-Treese seconded the adoption of the foregoing Resolution.

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

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Fuller	aye
Commissioner Trowbridge	aye
Commissioner Lucia-Treese	aye
Commissioner Blea-Nunez	aye
Commissioner Greer	aye
Commissioner Moraes	aye
Commissioner Carlson	aye

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

Dated: April 15, 2021

Brian Risley, 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 14th, 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 6th 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°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°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°55'24"E, a distance of 57.81 feet, to the northwest corner of said Tract B; thence N03°54'41"E, a distance of 40.11 feet, to the center line of said Meadowbrook Parkway; thence along said center line, N89°43'15"E, a distance of 624.81 feet; thence leaving said center line S00°07'03"W, a distance of 40.01 feet, to a point on the north line of said Tract B; thence S00°07'03"W, a distance of 767.20 feet; thence S34°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°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°00'18"W, having a radius of 1780.00 feet, a central angle of 22°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°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.

RESOLUTION NO. 21-

**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 11th day of May, 2021 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
County Clerk & Recorder

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 14th, 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 6th 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.