

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 $S74^{\circ}39'21''W$ (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.