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El Paso County, CO

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RESOLUTION NO. 24-186

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

APPROVAL OF MAP AMENDMENT (REZONE) TO CS
7125 N MERIDIAN - REZONE FROM CR TO CS (CS241)

WHEREAS, CAP Storage Falcon, 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 and depicted in Exhibit B, attached hereto and incorporated by reference from the CR (Commercial Regional) zoning district to the CS (Commercial Service) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on April 18, 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 May 9, 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 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 Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of CAP Storage Falcon, 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 RR-5 (Residential Rural) zoning district to the CS (Commercial Service) 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.

NOTATIONS

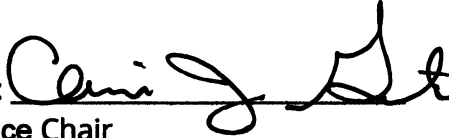
1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. 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 9TH day of May 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: 
Vice Chair

ATTEST:

By: 
County Clerk & Recorder

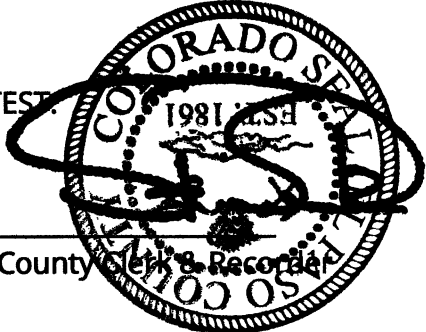


EXHIBIT A

BEING A PART OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE FULLY DESCRIBED AS FOLLOWS;

LOT 5, MERIDIAN CROSSING FILING NO. 1, COUNTY OF EL PASO, STATE OF COLORADO.

SAID LANDS CONTAIN 92,757 SQ. FT., 2.13 ACRES OF LAND, MORE OR LESS.

EXHIBIT B

CAP STORAGE FALCON, LLC

ROLLING THUNDER MAP AMENDMENT (REZONE)

LOT 5 MERIDIAN CROSSING FILING NO 1
 NORTHEAST QUARTER OF SECTION 12 IN TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
 7125-7153 MERIDIAN ROAD

REZONE
PCD: CS-XX-XXXX

SITE PLAN

GENERAL EQUIPMENT DATA	
PROJECT NUMBER	2024-186
PROJECT DATE	05/20/24
PROJECT LOCATION	SECTION 12, TOWNSHIP 13S, RANGE 65W, P.M. 6TH
PROJECT AREA	0.25 AC
PROJECT TYPE	REZONE
PROJECT STATUS	PENDING
PROJECT OWNER	CAP STORAGE FALCON, LLC
PROJECT CONTACT	JAY B. GARDNER
PROJECT PHONE	715-200-1234
PROJECT FAX	715-200-1234
PROJECT WEBSITE	
PROJECT ADDRESS	7125-7153 MERIDIAN ROAD
PROJECT CITY	WISCONSIN
PROJECT STATE	WI
PROJECT COUNTY	WINNEBAGO
PROJECT ZIP	53191
PROJECT ZONE	CS-XX-XXXX
PROJECT PERMIT NUMBER	
PROJECT PERMIT DATE	
PROJECT PERMIT EXPIRES	
PROJECT PERMIT STATUS	PENDING
PROJECT PERMIT OFFICE	
PROJECT PERMIT CONTACT	
PROJECT PERMIT PHONE	
PROJECT PERMIT FAX	
PROJECT PERMIT WEBSITE	
PROJECT PERMIT ADDRESS	
PROJECT PERMIT CITY	
PROJECT PERMIT STATE	
PROJECT PERMIT COUNTY	
PROJECT PERMIT ZIP	

LOCAL REGULATIONS

PROJECT ZONE: CS-XX-XXXX
 PROJECT PERMIT NUMBER: []
 PROJECT PERMIT DATE: []
 PROJECT PERMIT EXPIRES: []
 PROJECT PERMIT STATUS: []
 PROJECT PERMIT OFFICE: []
 PROJECT PERMIT CONTACT: []
 PROJECT PERMIT PHONE: []
 PROJECT PERMIT FAX: []
 PROJECT PERMIT WEBSITE: []
 PROJECT PERMIT ADDRESS: []
 PROJECT PERMIT CITY: []
 PROJECT PERMIT STATE: []
 PROJECT PERMIT COUNTY: []
 PROJECT PERMIT ZIP: []

PROJECT CONTACTS

PROPERTY OWNER: CAP STORAGE FALCON, LLC
 PROJECT CONTACT: JAY B. GARDNER
 PROJECT PHONE: 715-200-1234
 PROJECT FAX: 715-200-1234
 PROJECT WEBSITE: []
 PROJECT ADDRESS: 7125-7153 MERIDIAN ROAD
 PROJECT CITY: WISCONSIN
 PROJECT STATE: WI
 PROJECT COUNTY: WINNEBAGO
 PROJECT ZIP: 53191

LOCAL REGULATIONS

PROJECT ZONE: CS-XX-XXXX
 PROJECT PERMIT NUMBER: []
 PROJECT PERMIT DATE: []
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LOCAL REGULATIONS

PROJECT ZONE: CS-XX-XXXX
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