

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

Byers

moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2313
RETREAT AT PRAIRIERIDGE RS-6000 REZONE

WHEREAS, Classic SR Land LLC, did file an application with the El Paso County Planning and Community Development Department for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property in the unincorporated area of El Paso County as described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RS-6000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by this Commission on October 3, 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, 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 were 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 and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. 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.

WHEREAS, when 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.B of the El Paso County Land Development Code (as amended):

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 Planning Commission recommends that the petition of Robert Williams for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RS-6000 (Residential Suburban) zoning district be approved by the Board of County Commissioners with 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 RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-6000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the

applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application 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 application. 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. Map Amendment (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 El Paso County Board of County Commissioners for its consideration.

SMITH seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / <u>absent</u>
Jeffrey Markewich	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	<u>aye</u> / no / non-voting / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 8 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 3rd day of October 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION


By: 
Chair

EXHIBIT A

Legal Description

A PARCEL OF LAND BEING LOCATED IN A PORTION OF THE SOUTH HALF OF SECTION 28 AND THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING ALSO A PORTION OF LAND SURVEY PLAT RECORDED UNDER RECEPTION NO. 211900027, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END WHICH IS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED "ESI PLS 10376, 2006" AND AT THE EAST END, WHICH IS A 30' WITNESS CORNER TO THE EAST OF THE EAST QUARTER CORNER OF SAID SECTION 28, BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED "ESI 10376, 2006", IS ASSUMED TO BEAR N89°08'28"E, A DISTANCE OF 1326.68 FEET.

COMMENCING AT THE CENTER-EAST 1/16 CORNER OF SAID SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO;

THENCE S83°37'56"W, A DISTANCE OF 62.10 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SECTION 28 SAID POINT BEING THE NORTHEASTERLY CORNER OF LAND SURVEY PLAT RECORDED UNDER RECEPTION NO. 211900027 SAID POINT BEING ALSO IN THE WESTERLY RIGHT OF WAY LINE OF VOLLMER ROAD;

THENCE ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES:

1. THENCE S09°36'29"W, A DISTANCE OF 114.58 FEET;
2. THENCE S11°14'07"W, A DISTANCE OF 89.25 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:

1. THENCE S11°14'07"W, A DISTANCE OF 963.49 FEET;
2. THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N78°41'41"W, HAVING A DELTA OF 27°06'29", A RADIUS OF 603.83 FEET AND A DISTANCE OF 285.69 FEET;
3. THENCE S38°19'09"W, A DISTANCE OF 612.03 FEET;

THENCE N51°40'51"W, A DISTANCE OF 164.68 FEET;

THENCE N02°32'52"E, A DISTANCE OF 287.73 FEET;

THENCE N09°57'35"E, A DISTANCE OF 417.95 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S09°57'35"W, HAVING A DELTA OF 31°02'16", A RADIUS OF 565.00 FEET, AND A DISTANCE OF 306.07 FEET;

THENCE S68°55'19"W, A DISTANCE OF 583.95 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A DELTA OF 57°09'17", A RADIUS OF 565.00 FEET, AND A DISTANCE OF 563.61 FEET;

THENCE S11°46'01"W, A DISTANCE OF 244.11 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A DELTA OF 14°47'24", A RADIUS OF 800.00 FEET, AND A DISTANCE OF 206.51 FEET;

THENCE S03°01'22"E, A DISTANCE OF 571.21 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A DELTA OF 46°22'30", A RADIUS OF 565.00 FEET, AND A DISTANCE OF 457.31 FEET;

THENCE S49°23'52"E, A DISTANCE OF 36.63 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID VOLLMER ROAD;

THENCE S40°36'08"W, ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,206.97 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33;

THENCE N00°07'28"W, ON SAID WEST LINE, A DISTANCE OF 957.68 FEET;

THENCE N89°43'27"E, A DISTANCE OF 211.28 FEET;

THENCE N00°16'33"W, A DISTANCE OF 1,041.57 FEET;

THENCE N36°29'38"W, A DISTANCE OF 42.31 FEET;

THENCE N00°16'33"W, A DISTANCE OF 429.67 FEET;

THENCE N41°32'04"E, A DISTANCE OF 37.50 FEET;

THENCE N00°16'33"W, A DISTANCE OF 1,022.97 FEET;

THENCE N89°43'27"E, A DISTANCE OF 470.14 FEET;

THENCE S00°16'33"E, A DISTANCE OF 158.78 FEET;

THENCE S21°04'41"E, A DISTANCE OF 137.93 FEET;

THENCE N68°55'19"E, A DISTANCE OF 505.00 FEET;

THENCE N21°04'41"W, A DISTANCE OF 120.00 FEET;

THENCE N68°55'19"E, A DISTANCE OF 180.00 FEET;

THENCE N32°23'37"E, A DISTANCE OF 63.56 FEET;

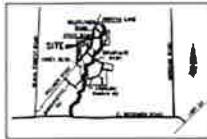
THENCE N00°46'54"W, A DISTANCE OF 228.70 FEET;

THENCE N89°13'54"E, A DISTANCE OF 1,178.37 FEET TO THE POINT OF BEGINNING.

THE DESCRIPTION ABOVE PRODUCES A CALCULATED AREA OF 3,132,043 SQUARE FEET, (71.90181 ACRES) OF LAND MORE OR LESS AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.

EXHIBIT B

RETREAT AT PRAIRIERIDGE FILINGS 1-3
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 28 AND THE NORTHWEST
QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH
PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO
RS-6000 REZONE MAP
MARCH 2024



FILE NO.	DATE	DESCRIPTION
1	03/15/24	Initial Draft
2	03/20/24	Revised Draft
3	03/25/24	Final Draft

REVISIONS

1. Added notes regarding the proposed RS-6000 zoning district and the associated changes to the zoning ordinance.

2. Updated the map to reflect the latest survey data and the proposed rezoning boundaries.

3. Revised the text to accurately describe the project area and the proposed rezoning action.

4. Added a legend to the map to define the various symbols and colors used.

5. Updated the title block to include the project name, date, and the name of the consulting firm.

NOTES

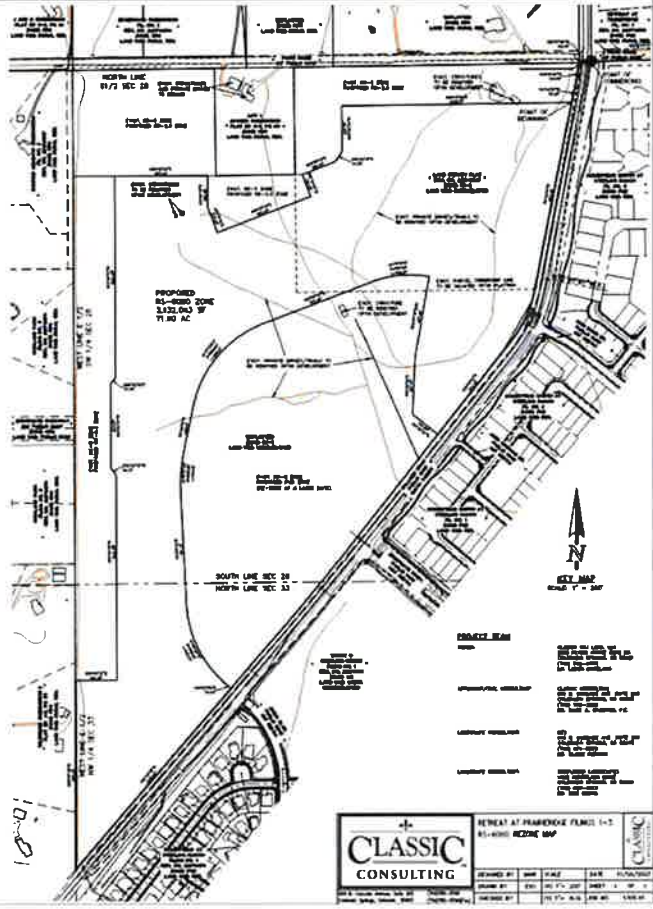
1. The proposed RS-6000 zoning district is shown in red on the map.

2. The project area is located within the southwest quarter of section 28 and the northwest quarter of section 33.

3. The proposed rezoning is subject to the approval of the local government and the state of Colorado.

4. The project area is currently zoned as RS-6000.

5. The proposed rezoning is for a period of 10 years.



<p>CLASSIC CONSULTING</p>	RETREAT AT PRAIRIERIDGE FILINGS 1-3		
	RS-6000 REZONE MAP		
DATE	BY	SCALE	STATUS
03/15/24	JM	1" = 100'	FINAL
03/20/24	JM	1" = 100'	REVISION
03/25/24	JM	1" = 100'	FINAL

