

BCC

Chuck Broerman
05/26/2021 08:45:46 AM
Doc \$0.00
Rec \$0.00

El Paso County, CO



5
Pages 221103005

RESOLUTION NO. 21-210

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF COLORADO

APPROVAL OF THE CROSSROADS NORTH MAP AMENDMENT (REZONING) (CR-20-001)

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 M (Industrial) zoning district to the CR (Commercial Regional) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on May 20, 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 25, 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 M (Industrial) zoning district to the CR (Commercial Regional) 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 CR (Commercial Regional) 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 each commercial lot or pad site as required by Engineering Criteria Manual, Appendix 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 the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 25th day of May, 2021, at Colorado Springs, Colorado.

ATTEST
By: 
County Clerk & Recorder



The seal of El Paso County, Colorado, is circular with a double-line border. The outer ring contains the text "EL PASO COUNTY" at the top and "COLORADO" at the bottom. Inside the ring, there is a central emblem featuring a mountain, a river, and a tree. Below the emblem, the text "EST. 1871" is visible.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

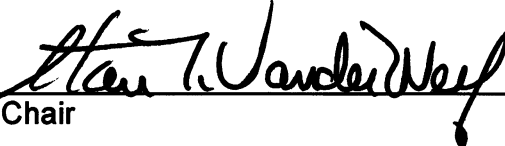
By: 
Chair

EXHIBIT A

CROSSROADS NORTH REZONING BOUNDARY LEGAL DESCRIPTION

Lots 12, 16, 17, 18, 19, and 20, Hillcrest Acres recorded May 12, 1960, in Plat Book B-2, Page 64 in the Record of El Paso County, Colorado except those parcels of land as described in the following Reception Numbers; 204068322, 202058754, 214119767, 214119796, 214116022, and 214116021 recorded in the Official Public Records of El Paso County, Colorado, located within the east half of Section 8, Township 14 South, Range 65 West of the Sixth Principle Meridian, El Paso County, Colorado;

Bearings are based off of Reception No. 000153860 in the records of El Paso County, Colorado

BEGINNING at the northerly most point of Lot 20 (Reception No. 219071855 in the records of El Paso County, Colorado); thence, along the east line of said Lot 20, S00°00'13"E, a distance of 481.11 feet; thence, to a point on the centerline of Marksheffel Road, S65°19'00"E, a distance of 86.83 feet; thence along the centerline of Marksheffel Road for the following three (3) courses:

- 1) S24°41'00"E, a distance of 10.33 feet;
- 2) Thence, along the arc of a tangent curve to the left with a radius of 927.27 feet; a distance of 356.61 feet and a delta of 22°02'05" to a point of tangency;
- 3) Thence, S00°09'21"W, a distance of 1,494.73 feet, to appoint on the center line of Air Lane;

Thence, leaving said centerline of Marksheffel Road along said center line of Air Lane N89°35'49"W, a distance of 86.47 feet, more or less, to a point on the westerly right-of-way line of Marksheffel Road; thence, continuing along said center line of Air Lane N89°59'51"W, a distance of 542.59 feet; thence, leaving said centerline N00°00'09"W a distance of 30.00 feet to a point on the northerly right-of-way line of said Air Lane, also being the southwest corner of Lot 12 (Rec. No. 218145557 in the records of El Paso County, Colorado); thence, continuing along the westerly line of said Lot 12 N00°02'24"W, a distance of 350.98 feet to the northwest point of said Lot 12 also being the southwest point of Lot 16 (Rec. No. 218145557 in the records of El Paso County, Colorado); thence, along the westerly line of said Lot 16 for the following two (2) courses:

- 1) N00°01'28"W, a distance of 224.91 feet;
- 2) Thence, N33°43'47"E, a distance of 180.11 feet, to the northwesterly point of said Lot 16 also being the southwest point of Lot 17 (Rec. No. 219088540 in the records of El Paso County, Colorado);

Thence along the west line of said Lot 17, N19°37'33"E, a distance of 114.56 feet to a point on said west line also being the southeasterly corner of Lot 18 (Rec. No. 218145557 in the records of El Paso County, Colorado); thence, along the southerly line of said Lot 18, N56°51'11"W, a distance of 467.76 to a point on the westerly right-of-way line of U.S. Highway No. 24; thence along said westerly right-of-way line for the following four (4) courses:

- 1) N33°37'12"E, a distance of 472.93 feet;
- 2) Thence, N33°37'12"E, a distance of 134.70 feet;

3) Thence, along the arc of a non-tangent curve to the right with a length of 223.73 feet, radius of 11,334 feet and delta $01^{\circ}07'53''$, with a radial of $S56^{\circ}22'34''E$;

4) Thence, continuing along the arc of a non-tangent curve to the right with a length of 692.22 feet, radius of 11,334 feet and delta $03^{\circ}29'58''$, with a radial of $S55^{\circ}14'42''E$, to the POINT OF BEGINNING.

CONTAINING A TOTAL OF 1,278,931SF OR 29.63AC, MORE OR LESS.