



RESOLUTION NO. 17- 369

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

**APPROVAL OF THE SANTA FE SPRINGS PUD 5 MAP AMENDMENT
(REZONING) (P-17-012)**

WHEREAS El Paso County Planning and Community Development 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 PUD (Planned Unit Development) zoning district to the A-35 (Agricultural) zoning district; and

WHEREAS, the legal description attached as Exhibit A to Resolution 05-28 differs from the Santa Fe Springs 5 PUD Development Plan approved on January 5, 2005; and

WHEREAS, it is the intent of the Board of County Commissioners by this action to remove the entire property zoned PUD (Planned Unit Development) by Resolution 05-28; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 7, 2017, 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 December 12, 2017; 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 El Paso County Planning and Community Development 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 PUD (Planned Unit Development) zoning district to the A-35 (Agricultural) zoning district;

BE IT FURTHER RESOLVED that this resolution shall be interpreted to apply to the entire property which was the subject of the previous Board action;

BE IT FURTHER RESOLVED the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. Any requests to rezone property to any zoning district other than what is approved by this action will require submittal of an application for a map amendment (rezoning) to the Planning and Community Development Department.
2. Future land use applications, which may include but not necessarily be limited to, map amendments (rezonings), preliminary plans, and/or final plats, shall include reports, plans, and other documentation as determined by the

Planning and Community Development Director necessary to analyze impacts to the surrounding transportation network, on and off-site drainage and stormwater impact, soils and geology and related hazards, wildlife impacts, floodplain impacts, water and wastewater resources, and the feasibility of central/urban services.

3. Approval of the County initiated rezoning of the Santa Fe Springs PUD 2 shall render the Santa Fe Springs Sketch Plan (PCD File No. SKP-04-003) as invalid and no longer binding upon future development of the affected properties.

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.

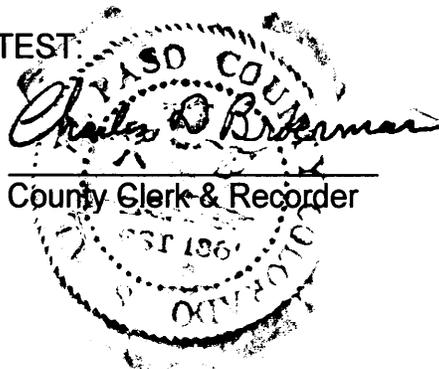
DONE THIS 12th day of December, 2017, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____

County Clerk & Recorder



By: _____

President

A handwritten signature in black ink, appearing to read "Dan Z. Blum", is written over a horizontal line. Below the line, the word "President" is printed.

EXHIBIT A

A TRACT OF LAND LOCATED IN SECTION 1, 2, 6, 7, 11 AND 12, ALL IN TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 2; THENCE S 89° 28' 49" E ALONG THE NORTH LINE OF SAID SECTION 2, A DISTANCE OF 2646.56 FEET; THENCE S 00° 31' 11" W, A DISTANCE OF 465.81 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 2550.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 55° 44' 55" (THE LONG CHORD OF WHICH BEARS S 27° 21' 18" E, A LONG CHORD DISTANCE OF 2384.42 FEET), AN ARC LENGTH OF 2481.14 FEET; THENCE S 55° 13' 44" E, A DISTANCE OF 2087.88 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE N 34° 46' 16" E, A DISTANCE OF 1326.32 FEET; THENCE N 36° 58' 14" E, A DISTANCE OF 2242.17 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 1001.61 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 39° 23' 03" (THE LONG CHORD OF WHICH BEARS N 17° 16' 42" E, A LONG CHORD DISTANCE OF 675.01 FEET), AN ARC LENGTH OF 688.49 FEET; THENCE N 00° 26' 50" E, A DISTANCE OF 193.88 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 1; THENCE S 89° 17' 01" E ALONG SAID NORTH LINE, A DISTANCE OF 2729.52 FEET TO THE NORTHEAST CORNER OF SAID SECTION 1; THENCE S 89° 02' 22" E ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 611.01 FEET; THENCE S 00° 00' 34" E, A DISTANCE OF 2376.74 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 3483.40 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 44° 26' 26" (THE LONG CHORD OF WHICH BEARS S 22° 13' 47" E, A LONG CHORD DISTANCE OF 2634.62 FEET), AN ARC LENGTH OF 2701.84 FEET; THENCE S 44° 27' 00" E, A DISTANCE OF 1688.36 FEET; THENCE S 45° 57' 20" W, A DISTANCE OF 322.23 FEET; THENCE S 00° 13' 19" E, A DISTANCE OF 1290.97 FEET; THENCE S 00° 00' 00" W, A DISTANCE OF 425.36 FEET; THENCE S 89° 54' 22" E, A DISTANCE OF 450.66 FEET; THENCE S 89° 34' 07" E, A DISTANCE OF 894.42 FEET TO THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 7; THENCE S 00° 23' 11" W ALONG THE EAST LINE OF SAID W ½ SE ¼, A DISTANCE OF 2628.94 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE N 89° 37' 45" W ALONG THE SOUTH LINE OF SAID SECTION 7, A DISTANCE OF 2151.24 FEET; THENCE N 24° 51' 31" W, A DISTANCE OF 581.96 FEET; THENCE N 35° 17' 15" W, A DISTANCE OF 682.31 FEET; THENCE N 35° 54' 24" W, A DISTANCE OF 708.82 FEET; THENCE N 45° 02' 33" W, A DISTANCE OF 278.08 FEET; THENCE N 42° 09' 31" W, A DISTANCE OF 570.14 FEET; THENCE N 78° 42' 23" W, A DISTANCE OF 23.16 FEET; THENCE N 61° 01' 20" W, A DISTANCE OF 294.15 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 354.44 FOOT RADIUS NON-TANGENTIAL CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 54° 45' 06" (THE LONG CHORD OF WHICH BEARS N 18° 27' 38" W, A LONG CHORD DISTANCE OF

211.70 FEET), AN ARC LENGTHS OF 214.98 FEET; THENCE N 52° 37' 54" W, A DISTANCE OF 468.96 FEET; THENCE N 56° 20' 57" W, A DISTANCE OF 452.00 FEET; THENCE N 72° 43' 12" W, A DISTANCE OF 505.06 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 2550.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 44° 12' 33" (THE LONG CHORD OF WHICH BEARS N 26° 59' 25" W, A LONG CHORD DISTANCE OF 1919.12 FEET), AN ARC LENGTH CNF 1967.57 FEET; THENCE S 35° 46' 57" W, A DISTANCE OF 1036.89 FEET; THENCE N 52° 40' 04" W, A DISTANCE OF 600.13 FEET; THENCE N 52° 50' 46" W, A DISTANCE OF 740.84 FEET; THENCE N 90° 00' 00" W, A DISTANCE OF 666.62 FEET; THENCE S 89° 45' W, A DISTANCE OF 553.38 FEET; THENCE N 24° 16' 01" W, A DISTANCE OF 224.00 FEET; THENCE N 19° 27' 32" W, A DISTANCE OF 439.74 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 570.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 35° 46' 12" (THE LONG CHORD OF WHICH BEARS N 37° 20' 38" W A LONG CHORD DISTANCE OF 350.10 FEET), AN ARC LENGTH OF 355.85 FEET; THENCE N 55° 13' 44" W, A DISTANCE OF 47.42 FEET; THENCE N 34° 46' 16" E, A DISTANCE OF 1211.53 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1093.1 ACRES, MORE OR LESS.