

RESOLUTION NO. 18- 423

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF
COLORADOAPPROVAL OF THE STONEBRIDGE FILING NO. 4 AT MERIDIAN RANCH
MAP AMENDMENT (REZONING) AND PUD DEVELOPMENT PLAN
(PUDSP-18-003)

WHEREAS GTL, Inc., 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 property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development plan; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on October 16, 2018, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application and supporting PUD Development Plan; and

WHEREAS, a public hearing was held by this Board on November 13, 2018; 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 Board of County Commissioners of El Paso County.
3. That the hearings before the Planning Commission and 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.

Chuck Broerman

El Paso County, CO

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4. The proposed PUD (Planned Unit Development) District zoning is in general conformity with the Master Plan for El Paso County, Colorado.
5. The proposed PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the Land Development Code.
6. The proposed development is in compliance with the requirements of the Land Development Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.
7. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area.
8. The proposed development provides adequate consideration for any potentially detrimental use-to-use relationships (e.g. commercial use adjacent to single-family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site.
9. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.
10. The areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
11. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
12. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed.
13. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy-efficient site design.
14. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere

with the present or future extraction of such deposit unless acknowledged by the mineral rights owner.

15. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide.
16. The owner has authorized the application.
17. 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.
18. The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan.
19. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.
20. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.
21. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions [C.R.W. §30-28-133(6)(c)].
22. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
23. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
24. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
25. 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.

26. For the above-stated and other reasons, the proposed zoning is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

27. For the above-stated and other reasons, the proposed zoning 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 the El Paso County Board of County Commissioners hereby approves the application to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby approves the PUD Development Plan as a preliminary plan.

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

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but 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.

6. Applicable park, school, drainage, and bridge fees shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.

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. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

MODIFICATION OF EXISTING LAND DEVELOPMENT CODE (LDC) OR ENGINEERING CRITERIA MANUAL (ECM) STANDARD:

For approval of a modification of a general development standard in the LDC or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.

The applicant requests the following modification of PUD standards of the LDC:

A PUD Modification of Section 2.5.2.C.4 of the ECM is requested with this application in relation to the requirement to provide midblock pedestrian crossings at specific locations.

Section 2.5.2.C.4 of the ECM states:

"Access ramps on local roadways shall be spaced no greater than 600 feet apart. Where spacing is greater than 600 feet, mid-block access ramps shall be provided at spacing that minimize travel distances between access ramps. Private accesses may be used for these access points where the access is designed to meet access ramp requirements."

Per the applicant's letter of intent, "there is no pedestrian destination in these areas that would necessitate a midblock crossing." Throughout Meridian Ranch, open space has been set aside for the pedestrian trail and park system. Many of the pedestrian trails are owned and maintained by the Meridian Ranch Metropolitan District. Multiple tracts within the proposed development, totaling 15.375 acres, have been designated as open space tracts.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 13th day of November, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:



By: 
President

EXHIBIT A

KNOW ALL MEN BY THESE PRESENTS:
THAT GTL, INC. DBA GTL DEVELOPMENT, INC., THEODORE TCHANG,
PRESIDENT; BEING THE OWNERS OF THE FOLLOWING DESCRIBED
TRACTS OF LAND:

TWO PARCELS OF LAND LOCATED IN A PORTION OF SECTION 29 AND 30,
BOTH IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL
MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

PARCEL A:

BEGINNING AT A POINT ON THE SOUTHEASTERN MOST CORNER OF
TRACT D OF STONEBRIDGE FILING NO. 1 AT MERIDIAN RANCH,
RECORDED WITH RECEPTION NO. 215713582 IN THE RECORDS OF EL
PASO COUNTY;

THE FOLLOWING SIX(6) COURSES ARE ON SAID SOUTHERLY LINE OF
TRACT D:

1. THENCE N13°42'24"E A DISTANCE OF 350.00 FEET;
2. THENCE N56°18'54"E A DISTANCE OF 150.00 FEET;
3. THENCE S84°02'15"E A DISTANCE OF 300.00 FEET;
4. THENCE N60°01'20"E A DISTANCE OF 300.00 FEET;
5. THENCE N44°00'02"E A DISTANCE OF 520.00 FEET;
6. THENCE N56°12'41"E A DISTANCE OF 308.07 FEET;
7. THENCE S31°45'35"E A DISTANCE OF 134.54 FEET;
8. THENCE S12°21'07"W A DISTANCE OF 8.00 FEET;
9. THENCE S33°47'19"E A DISTANCE OF 60.00 FEET;
10. THENCE S38°56'54"E A DISTANCE OF 123.00 FEET;
11. THENCE S44°59'01"E A DISTANCE OF 59.00 FEET;
12. THENCE S46°16'15"E A DISTANCE OF 60.00 FEET;
13. THENCE S49°16'15"E A DISTANCE OF 58.53 FEET;
14. THENCE S54°59'06"E A DISTANCE OF 123.00 FEET;
15. THENCE S60°08'41"E A DISTANCE OF 60.00 FEET;
16. THENCE S65°03'17"E A DISTANCE OF 145.00 FEET;
17. THENCE S68°53'37"E A DISTANCE OF 140.36 FEET;
18. THENCE S58°13'49"E A DISTANCE OF 206.93 FEET;
19. THENCE S20°23'46"E A DISTANCE OF 350.00 FEET;
20. THENCE S82°25'21"W A DISTANCE OF 800.00 FEET;
21. THENCE S64°36'19"W A DISTANCE OF 400.00 FEET;
22. THENCE S79°31'13"W A DISTANCE OF 400.00 FEET;
23. THENCE N86°37'24"W A DISTANCE OF 475.00 FEET;
24. THENCE N38°44'01"W A DISTANCE OF 300.00 FEET;
25. THENCE S78°55'18"E A DISTANCE OF 200.00 FEET TO THE POINT
OF BEGINNING.

THE ABOVE PARCEL OF LAND CONTAINS 40.435 ACRES, MORE OR LESS.

PARCEL B:

BEGINNING AT A POINT ON THE SOUTHERN LINE OF TRACT C OF
STONEBRIDGE FILING NO. 3 AT MERIDIAN RANCH, RECORDED WITH
RECEPTION NO. _____ IN THE RECORDS OF EL PASO COUNTY;

THE FOLLOWING SIX(6) COURSES ARE ON SAID SOUTHERLY LINE OF
TRACT C:

1. THENCE N66°06'02"E A DISTANCE OF 570.00 FEET;
2. THENCE S85°52'19"E A DISTANCE OF 400.00 FEET;
3. THENCE S61°19'51"E A DISTANCE OF 500.00 FEET;
4. THENCE S83°50'41"E A DISTANCE OF 410.00 FEET;
5. THENCE S23°25'11"W A DISTANCE OF 140.26 FEET;
6. THENCE S09°37'54"E A DISTANCE OF 190.96 FEET;
7. THENCE S32°40'27"W A DISTANCE OF 349.31 FEET;
8. THENCE S48°27'37"W A DISTANCE OF 122.15 FEET;
9. THENCE S77°17'41"W A DISTANCE OF 109.21 FEET;
10. THENCE N51°49'02"W A DISTANCE OF 111.67 FEET;
11. THENCE S49°10'35"W A DISTANCE OF 165.08 FEET;
12. THENCE S47°26'26"W A DISTANCE OF 115.00 FEET;
13. THENCE N42°50'23"W A DISTANCE OF 125.00 FEET;
36. THENCE N42°33'34"W A DISTANCE OF 60.00 FEET;
35. THENCE N47°54'59"W A DISTANCE OF 105.00 FEET;
34. THENCE N54°18'56"W A DISTANCE OF 97.00 FEET;
33. THENCE N61°13'42"W A DISTANCE OF 97.00 FEET;
32. THENCE N69°58'55"W A DISTANCE OF 100.00 FEET;
31. THENCE N69°16'10"W A DISTANCE OF 120.43 FEET;
30. THENCE N61°52'11"W A DISTANCE OF 60.00 FEET;
29. THENCE N60°08'41"W A DISTANCE OF 60.00 FEET;
28. THENCE N55°03'09"W A DISTANCE OF 144.23 FEET;
27. THENCE N43°46'04"W A DISTANCE OF 160.00 FEET;
26. THENCE N23°57'47"W A DISTANCE OF 105.00 FEET;
25. THENCE N31°38'39"W A DISTANCE OF 206.41 FEET TO THE POINT
OF BEGINNING.

THE ABOVE PARCEL OF LAND CONTAINS 27.460 ACRES, MORE OR LESS.

THE PUD CONTAINS 67.895 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW ¼ OF
SECTION 29, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH P.M.,
ASSUMED TO BEAR S89°25'42"E FROM THE SOUTHWEST CORNER OF
SAID SECTION 29 (A STONE W/SCRIBED "X") TO THE SOUTH QUARTER
CORNER OF SAID SECTION 29 (3.25" ALUM. CAP LS #30087).