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WAYNE W. WILLIAMS El Paso County, CO

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RESOLUTION NO. 12-007

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

APPROVE COUNTY-INITIATED ZONE CHANGE FROM THE REZONE OF 23 PARCELS REPRESENTING APPROXIMATELY 77 ACRES FROM THE CN (COMMERCIAL NEIGHBORHOOD) AND CO (COMMERCIAL OFFICE) ZONE DISTRICTS TO THE CC (COMMERCIAL COMMUNITY) ZONE DISTRICT IN ACCORDANCE WITH AN AMENDMENT OF THE LAND DEVELOPMENT CODE WHICH WOULD CONSOLIDATE THE SAME INTO THE CC (COMMERCIAL COMMUNITY) DISTRICT. (CC-11-1)

WHEREAS, the Board of County Commissioners for El Paso County did initiate rezoning the herein described property in El Paso County from the rezone of 23 parcels representing approximately 77 acres from the CN (Commercial Neighborhood) and CO (Commercial Office) zone districts to the CC (Commercial Community) zone district in accordance with an amendment of the Land Development Code which would consolidate the same into the CC (Commercial Community) district.

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 15, 2011, upon which date the Planning Commission did by formal resolution recommend approval of the subject request approval with conditions and notations; and

WHEREAS, a public hearing was held by this Board on January 12, 2012; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations by the El Paso County Planning Commission, comments of the El Paso County Development Services Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. 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 of El Paso County.
2. 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 that all interested parties were heard at those hearings.
3. That the proposed zoning is in compliance with the recommendations set forth in the master plan for the unincorporated area of the County.
4. That the proposed land use will be compatible with existing and permitted land uses in all directions.
5. That the proposed land use (does/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.

Resolution No. 12- 007
Exhibit A

Property Address: 1180 Crawford Avenue

Schedule #: 55182-04-013

Legal Description: TRACT B FOUNTAIN VALLEY RANCH SUB FIL NO 6B;

Property Address: 425 Security Boulevard

Schedule #: 65141-02-007

Legal Description: PART OF LOTS 18, 19 BLK 2 REFIL BLK 2 + LOTS 9 THRU 21 BLK 3 SECURITY ADD 5 AS FOLS, BEG AT PT ON WLY LN OF LOT 19 A DIST OF 6.44 FT NLY OF SWLY COR THEREOF, RUN TH NLY ALG SD LN 62.71 FT TO POB OF CURVE BEARING TO L, ANG R 77<10' ELY 136.83 FT TO PT ON ELY LN OF SD LOT, ANG R 128<47' SWLY ALG ELY LN 74.00 FT TO SELY COR LOT 19, ANG L 44<01'30" SLY ALG ELY LN OF LOT 18 A DIST OF 4.00 FT, TH ANG R 95<32'50" WLY 104.75 FT TO POB;

Property Address: 423 Security Boulevard

Schedule #: 65141-02-008

Legal Description: PART OF LOTS 18, 19 BLK 2 REFIL BLK 2 + LOTS 10 THRU 21 BLK 3 SECURITY ADD 5 AS FOLS, BEG AT A PT 6.44 FT N OF SW COR OF LOT 19, ANG R 77<28'20" ELY TO A PT ON ELY LN OF LOT 18 THAT IS 4 FT SLY OF NE COR OF SD LOT, RUN SLY ALG ELY LN OF LOT 18 A DIST OF 64 FT, ANG R TO A PT ON WLY LN OF SD LOT THAT IS 115 FT NLY OF SWLY COR, TH NLY ON WLY LN OF LOTS 18, 19 TO POB

Property Address: 10350 Highway 115

Schedule #: 76013-00-006

Legal Description: TRACT IN SE4 SEC 2, SW4 SEC 01-16-67 DESC AS FOLS, BEG AT SE COR OF SEC 2, TH NLY ALG E LN OF SD SEC 470.40 FT TO PT ON C/L OF HWY 115 ANG R 31<17' NELY ALG C/L 309.0 FT, ANG L 90< NWLY 75.0 FT FOR POB, TH ANG R 90< NELY 173.65 FT, ANG L 122<57' SWLY 186.61 FT, S 03<46'00" E 173.89 FT, S 71<32'49" E 30.91 FT, TH ANG L 54<29' N ELY 80.1 FT TO POB

Property Address: 10350 Highway 115

Schedule #: 76024-00-010

Legal Description: TRACT OF LAND IN SE4 SEC 02-16-67 DESC AS FOLS, COM AT SE COR OF SD SEC 2, TH N 03<46'00" W 712.85 FT TO A PT ON NWLY R/W HWY 115, N 03<46'00" W 29.66 FT FOR POB, TH N 03<46'00" W 173.89 FT, S 84<34'00" W 50.80 FT, S 15<24'39" W 140.60 FT, S 71<32'49" E 104.74 FT TO POB

Property Address: 1835 Tuskegee Place

Schedule #: 54063-01-007

Legal Description: LOT 1 THE WATER TOWER SUBDIVISION

Property Address: 1855 Tuskegee Place

Schedule #: 54063-01-006

Legal Description: LOT 2 THE WATER TOWER SUBDIVISION

Property Address: 1845 Tuskegee Place
Schedule #: 54063-01-008
Legal Description: LOT 3 THE WATER TOWER SUBDIVISION

Property Address: 1825 Tuskegee Place
Schedule #: 54063-01-009
Legal Description: LOT 4 THE WATER TOWER SUBDIVISION

Property Address: 0 Metropolitan Street
Schedule #: 55191-00-004

Legal Description: THAT PART OF NE4 SEC 19-15-65 AS FOLS; BEG AT NE COR OF SD SEC, TH WLY ON N SEC LN 2077.1 FT, S 53<11' W 435.4 FT, N 84<58' W 37.3 FT, S 19<14' E 82.6 FT, S 2<58' E 55.38 FT, S 33<32'30" W 186.68 FT, S 10<09'30" W TO INTSEC NLY LN OF LOT 16 IN BLK 4 OF WIDEFIELD COUNTRY CLUB ESTATES, FOL NLY & ELY LNS OF SD LOT TO INTSEC NLY LN OF DRURY LN, RUN NELY ON SD LN AND NWLY ON WLY LN OF ESTRELLA VISTA ST TO SLY LN OF FONTAINE BLVD, TH NELY ON SD SLY LN TO MOST NELY COR OF WIDEFIELD COUNTRY CLUB ESTATES FIL NO 3, RUN SELY, ELY AND SLY ON BDRY LN OF SD SUB TO ITS POI WITH NWLY BDRY LN OF WIDEFIELD COUNTRY CLUB HEIGHTS EAST, RUN SELY 71.95 FT ON BDRY OF SD SUB, SELY 157.48 FT ON NLY LN OF LOT 1 BLK 2 OF SD SUB AND ITS ELY EXT, TH RUN SWLY AND SELY ON BDRY OF SD SUB TO ITS POI WITH S LN OF NE4NE4 OF SEC, RUN ELY ON SD LN TO A PT 368.0 FT W OF E SEC LN, NLY AT R/A 550.24 FT, ELY AT R/A 368.0 FT TO E SEC LN, TH NLY ON SD LN 920.36 FT TO POB EX FONTAINE BLVD, EX METROPOLITAN ST, EX PART TO EL PASO COUNTY PARK AND RECREATION DIST, EX PART PLATTED INTO WIDEFIELD HEIGHTS EAST FIL NO 2, EX PART PLATTED INTO SUNDOWNER TOWNHOME SUB FIL NO 1, EX TRS CONV BY REC #201029477 & REC 201035245

Property Address: 4815 Platinum Drive
Schedule #: 63234-02-011
Legal Description: LOT 14 BLK 15 PARK VISTA ESTATES ADD

Property Address: 0 Crawford Drive
Schedule #: 65131-25-009
Legal Description: TRACT A FOUNTAIN VALLEY RANCH SUB FIL NO 6B

Property Address: 0 Misty Acres Boulevard
Schedule #: 71110-00-026

Legal Description: THAT PART OF N2NW4 SEC 11-11-67 AS FOLS, BEG NE COR OF NW4 SEC 11, TH W 665.02 FT ON N LN FOR POB OF TRACT, ANG L 89<46'43" S 876.94 FT, ANG RT 89<46'43" W PARA WITH N LN SD NW4 513.24 FT, ANG RT 88<36' N 288.58 FT, ANG L 30<28' NWLY 350.30 FT, M/L TO INTSEC SELY R/W LN OF CO RD AT NELY END OF COURSE 4 AS DESC IN BK 1188-472, TH NELY ON SD R/W LN ON A CURVE TO L HAVING A RAD OF 336.50 FT, THE LONG CHORD OF WHICH BEARS N 36<18' E 174.2 FT AN ARC DIST OF 176.2 FT, TH N 21<18' E TANG TO SD CURVE 162.48 FT M/L TO INTSEC N LN OF SD NW4, TH ANG RT 68<22'30" E ON SD N LN 545.43 FT M/L TO POB

Property Address: 0 Monument Hill

Schedule #: 71110-00-027

Legal Description: TR IN N2NW4 SEC 11-11-67 DES AS FOLS, COM AT NE COR OF NW4 OF SD SEC, TH N 89<58'48" W 665.02 FT, S 00<14'29" W 876.94 FT, N 89<58'48" W 513.24 FT FOR POB, TH S 1<22'48" E 441.75 FT TO INTSEC S LN OF AFMD N2NW4, S 89<41'00" W ON SD S LN 590.09 FT TO INTSEC ELY R/W LN OF U S HWY 85-87, TH N 5<42'00" W ON SD R/W LN 728.51 FT, TH ON ARC OF CUR TO L A DIST OF 175.81 FT, RAD OF ARC HAS LENGTH OF 336.50 FT, CORD BEARS N 66<16'00" E 173.80 FT, TH N 51<18'00" E ON SD R/W LN 378.20 FT, S 31<50'48" E 350.30 FT M/L, TH S 1<22'48" E 288.58 FT TO POB

Property Address: 0 Monument Hill Road

Schedule #: 71110-00-018

Legal Description: THAT PART OF SW4NW4 LY ELY OF ELY R/W LN OF HWY SEC 11-11-67

Property Address: 18950 Greater Europe Mission

Schedule #: 71113-03-004

Legal Description: LOT 1 GREATER EUROPE MISSION SUB FIL NO 1

Property Address: 18925 Base Camp Road

Schedule #: 71113-02-003

Legal Description: LOT 10 WOODMOOR BUSINESS/TECHNOLOGICAL PARK

Property Address: 18910 Base Camp Road

Schedule #: 71113-03-005

Legal Description: LOT 2 GREATER EUROPE MISSION SUB FIL NO 1

Property Address: 1770 Deer Creek Road

Schedule #: 71113-01-009

Legal Description: LOT 1 LLS SUBDIVISION

Property Address: 1945 Deer Creek Road

Schedule #: 71113-04-020

Legal Description: LOT 3 GREATER EUROPE MISSION SUB FIL NO 1

Property Address: 18725 Monument Hill Road

Schedule #: 71113-04-006

Legal Description: LOT 20 WOODMOOR BUSINESS/TECHNOLOGICAL PARK

Property Address: 1880 Willow Park Way

Schedule #: 71113-04-008

Legal Description: LOT 2 WOODMOOR BUSINESS/TECHNOLOGICAL PARK

Property Address: 7860 Black Forest Road

Schedule #: 53060-00-112

Legal Description: TRACT IN NE4SE4 OF SEC 6-13-65 AS FOLS, COM AT SE COR OF NE4SE4 30 FT WLY ON S LN THEREOF, TH ANG R 555 FT NLY PARA TO E LN FOR POB, TH ANG L 426.95 FT WLY PARA TO S LN OF SD NE4SE4, ANG R 90< NLY 200 FT, ANG R 87<39'30" ELY 427.58 FT, TH ANG R 200 FT SLY TO POB, W/MR, EX PT CONV BY REC# 205153365

6. That 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, that the Board of County Commissioners of El Paso County, Colorado, hereby approves the rezoning initiated by El Paso County for the herein described property from the rezone of 23 parcels representing approximately 77 acres from the CN (Commercial Neighborhood) and CO(Commercial Office) zone districts to the CC (Commercial Community) zone district in accordance with an amendment of the Land Ddevelopment Code which would consolidate the same into the CC (Commercial Community) district for property located within the unincorporated area of the County more particularly described in Exhibit A, which is attached hereto and incorporated by reference;

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

NE THIS 12th day of January 2012, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST

By: 

County Clerk & Recorder

By: 

Chair