

by Article 20 of Title 29, C.R.S., and by Article 28 of Title 30, C.R.S., as amended, the Board has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies granting a change in the zoning and approval of the general development plan, for the hereinafter described property, subject to the conditions precedent and/or other conditions of approval as hereinafter delineated.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. The Board of County Commissioners for Arapahoe County hereby grants and approves rezoning of the following parcel from **Agricultural-1 (A-1) and Agricultural Estates (AE)** zone district to **Planned Unit Development** zone district and approval of a general development plan, **GDP25-001** subject to the precedent conditions and/or other conditions as hereinafter delineated.

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 4, TOWNSHIP 4 SOUTH, RANGE 61 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER ¼ CORNER OF SAID SECTION 4, BEING A FOUND 2.5" ALUMINUM CAP, LS 30127, FROM WHENCE THE WEST 1/16TH CORNER OF SAID SECTION 4, BEING A FOUND 2" ALUMINUM CAP, LS 18475, BEARS S 89° 01'53" W A DISTANCE OF 1,314.70 FEET, SAID LINE FORMING THE BASIS OF BEARING FOR THIS LEGAL DESCRIPTION. THENCE S 89° 01'53" W ALONG THE SOUTH LINE OF THE EAST HALF OF NORTHWEST QUARTER OF SAID SECTION 4 A DISTANCE OF 1,314.70 FEET TO THE WEST 1/16TH CORNER OF SAID SECTION 4; THENCE N 01° 09'10" W, ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 2,571.42 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST 15TH AVE. THENCE N 88° 59'25" E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1,318.73 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4; THENCE N 89° 00'08" E, CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST 15TH AVE., A DISTANCE OF 948.34 FEET TO A POINT; THENCE S 01° 03'47" E A DISTANCE OF 2,572.29 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE S 17° 46'39" W A DISTANCE OF 937.93 FEET TO A POINT; THENCE S 88° 59'55" W A DISTANCE OF 646.41 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE N 01° 00'05" W ALONG SAID EAST LINE A DISTANCE OF 888.00 FEET TO THE POINT OF BEGINNING.

2. Approval of this rezoning and general development plan is based upon the following understandings, agreements and/or representations:
 - a) The applicant's assent and/or agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature.
 - b) The representations, statements and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such representations made at hearing and statements contained in materials submitted to the Board by the applicant and County staff.

3. Approval of this rezoning and general development plan shall be and is subject to the following conditions precedent and/or other conditions, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the Chairman of the Board of County Commissioners within sixty (60) days of this date and by continuing with the development of the property:
 - a) The applicant's compliance with the recommended conditions of the Arapahoe County Planning Commission as set forth in the record of the hearing before the Planning Commission, except as may be modified by this Board.
 - b) The applicant's compliance with all conditions of approval recommended by the staff case managers in the written staff reports presented to the Board, and any conditions stated by staff on the record, except as may be modified by this Board.
 - c) The applicant's compliance with all additional conditions of approval stated by the Board, including
 1. Prior to the signature of the final copy of these plans, the applicant must address Public Works and Development Staff comments and concerns.
 2. This approval is contingent upon the approval of the County-initiated update to the 2003 Byers Sub-Area Plan, in case number LR25-001.
 3. The applicant shall provide a map of the Mule Deer Winter Concentration Area with the Specific Development Plan application.
 4. The applicant shall submit an environmental report with the Specific Development Plan.
 5. The applicant shall submit a weed management plan with the Specific Development Plan and Administrative Site Plan applications.

6. The applicant shall submit a draft risk analysis with the Specific Development Plan application and a draft response plan with the Administrative Site Plan application.
- d) The applicant's performance of all commitments and promises made by the applicant or its representatives and stated to the Board on the record, or contained within the materials submitted to the Board.
4. Upon the applicant's completion of any and all changes to the rezoning mylar as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign same.
5. That the Zoning Map of Arapahoe County shall be and the same is hereby amended to conform to and reflect said change in zoning.
6. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature, and to make such other changes that are expressly stated by staff before the Board, or are recommended by staff in the written staff reports, or are referred to by the movant Commissioner. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this resolution.
7. The County Attorney is authorized to make appropriate modifications to this Resolution and the underlying document(s), as needed, to correct errors and omissions, and to accurately reflect the matters presented to the Board and to record and clarify, as necessary, the Board's action.

The vote was:

Commissioner Baker, ___; Commissioner Campbell, ___; Commissioner Fields, ___; Commissioner Summey, ___; Commissioner Warren-Gully, ___.

The Chair declared the motion carried and so ordered.