

PUD-02-013

714.36

**REZONING: R-4 TO PUD
BAPTIST ROAD RETAIL CENTER
WAL-MART SUPERCENTER**

A request by Kenneth H. Barber, Uwe Schmidt and Beverly B. Miller for approval to rezone a parcel from the R-4 (Planned Development) Zone District to the PUD (Planned Unit Development) Zone District for the purpose of accommodating a Wal-Mart Supercenter store and associated Pad sites. The 30-acre property is located south of Baptist Road and east of Interstate-25 in the Tri-Lakes Planning Area. Tax Schedule #: 71360-02-023.

NOTE: The majority of staff comments and analyses are focused on the PUD request because this is the most discretionary of the two applications being considered.

PREPARED BY

Janice E. Fetrow/ Carl F. Schueler
5/5/04

APPLICABLE RESOLUTIONS

Approval Page 51
Disapproval Page 52

DEVELOPMENT SERVICES DEPARTMENT RECOMMENDATION: The Planning Division staff does not make a recommendation, noting that this is a major discretionary zoning and subdivision decision with a number of factors which could be considered both in favor of and against the zone change. If the Planning Commission chooses to approve the request, the Development Services Department recommends the following:

Should a commissioner desire to approve the PUD rezoning application, it is suggested that the motion be phrased as follows and the with the following conditions:

Having considered the evidence of record in this matter in light of the standards of review set forth on pages _____ of the staff comments, I find that

- (1) the Development Guide/Plan does generally conform to the El Paso County Master Plan; and
- (2) pursuant to the provisions of the Land Development Code, the subject property will be compatible, harmonious, and responsive with the existing surrounding area; and
- (3) the applicant/developer has demonstrated to my satisfaction that the proposed development plan will not negatively affect existing and future development.