

BCCC

RESOLUTION NO. 21-240

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

APPROVE PRELIMINARY PLAN FOR CLOVERLEAF (SP-20-002)

WHEREAS, PT Cloverleaf, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a preliminary plan for the Cloverleaf Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on May 20, 2021, upon which date the Planning Commission did by formal resolution recommend approval of the preliminary plan application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on June 15, 2021; 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 Planning Commission.
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.
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. All exhibits were received into evidence.
5. The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.

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6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. Sufficiency: 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. (Phase 1 Only)
9. 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.
10. 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)].
11. 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.
12. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Land Development Code and the Engineering Criteria Manual.
13. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encouraging a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive

areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.

14. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
15. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
16. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. 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.
18. That the proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. That for the above-stated and other reasons, the proposed subdivision 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 Board of County Commissioners of El Paso County, Colorado, hereby approves the preliminary plan application for the Cloverleaf Subdivision;

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

CONDITIONS

1. Prior to subsequent final plat(s) being scheduled for Planning Commission, the applicant shall provide a letter from the Army Corp. of Engineers in regard to the wetlands identified within the preliminary plan area.
2. Applicable drainage and bridge fees shall be paid with each final plat.
3. Applicable school and park fees shall be paid with each final plat.

4. 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 Division of 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 species.
5. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
6. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
7. The unresolved engineering comments shall be resolved, and approved engineering documents are required prior to the Board of County Commissioner hearing.

NOTATIONS

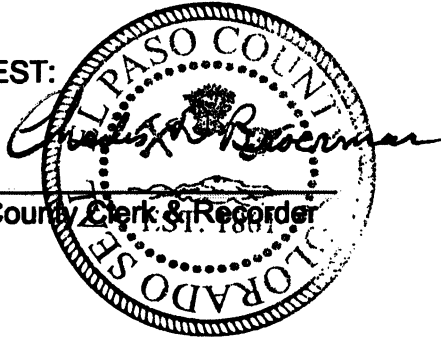
1. This Preliminary Plan approval does not authorize future final plat filings to be approved administratively.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a final plat has been approved and recorded or a time extension has been granted.
3. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

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

DONE THIS 15th day of June, 2021, at Colorado Springs, Colorado.

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

ATTEST:



By: _____
County Clerk & Recorder

By: Stan Waudenberg
Chair

EXHIBIT A

PARCEL 1 (TSN 7124202236 and 7123103007)

A PARCEL OF LAND BEING ALL OF THAT PROPERTY DESCRIBED IN THE DEED RECORDED UNDER RECEPTION NO. 211111394 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, BEING A PORTION OF TRACT B, WOODMOOR PLACER RECORDED IN BOOK U-2 AT PAGE 66, TOGETHER WITH ALL OF TRACT H, WOODMOOR GREENS RECORDED IN BOOK U-2 AT PAGE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23 AND THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE LINE BETWEEN THE 30.00' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 10377 1997 30.00 WC" AND THE 30.0' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SAID SECTION 23, MONUMENTED BY A 1-1/2" ALUMINUM CAP STAMPED "LS 2692", SAID LINE BEARING S89°54'49"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT THE 30' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N23°36'18"W A DISTANCE OF 971.92 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF TRACT B, WOODMOOR PLACER RECORDED IN BOOK U-2 AT PAGE 66 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON SAID SOUTHWESTERLY LINE, N47°53'03"W A DISTANCE OF 244.83 FEET, TO THE SOUTHWESTERLY CORNER OF TRACT H, WOODMOOR GREENS PLAT RECORDED IN BOOK U-2 AT PAGE 51;

THENCE ON THE PERIMETER OF SAID TRACT H, THE FOLLOWING THREE (3) COURSES:

- 1. N33°23'09"W A DISTANCE OF 130.11 FEET, TO A POINT OF NON-TANGENT CURVE, ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LEGGINS WAY;**
- 2. ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S33°24'06"E, HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 15°37'05" AND AN ARC LENGTH OF 81.78 FEET, TO A POINT OF NON-TANGENT;**
- 3. S52°28'59"E A DISTANCE OF 196.68 FEET, TO A POINT ON THE WESTERLY LINE OF SAID TRACT B, WOODMOOR PLACER;**

THENCE ON SAID WESTERLY LINE, THE FOLLOWING FIVE (5) COURSES:

- 1. N81°20'01"E A DISTANCE OF 130.03 FEET;**
- 2. N26°20'33"E A DISTANCE OF 511.07 FEET;**
- 3. N52°03'56"E A DISTANCE OF 451.83 FEET;**
- 4. N17°03'30"W A DISTANCE OF 222.24 FEET;**
- 5. N07°26'50"W A DISTANCE OF 104.67 FEET;**

THENCE DEPARTING THE WESTERLY LINE OF SAID TRACT B, THE FOLLOWING TWELVE (12) COURSES;

- 1. N84°15'58"E A DISTANCE OF 126.43 FEET, TO A POINT OF NON-TANGENT CURVE;**
- 2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N46°46'54"E, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 105°01'39" AND AN ARC LENGTH OF 91.65 FEET, TO A POINT OF NON-TANGENT;**
- 3. N85°02'46"E A DISTANCE OF 42.49 FEET;**
- 4. S08°08'16"E A DISTANCE OF 85.83 FEET, TO A POINT OF CURVE;**
- 5. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,470.00 FEET, A CENTRAL ANGLE OF 08°35'03" AND AN ARC LENGTH OF 220.24 FEET, TO A POINT OF TANGENT;**
- 6. S00°26'47"W A DISTANCE OF 266.67 FEET, TO A POINT OF CURVE;**
- 7. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 430.00 FEET, A CENTRAL ANGLE OF 52°42'18" AND AN ARC LENGTH OF 395.55 FEET, TO A POINT OF TANGENT;**
- 8. S52°15'31"E A DISTANCE OF 287.37 FEET, TO A POINT OF CURVE;**
- 9. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 24°42'05" AND AN ARC LENGTH OF 245.74 FEET, TO A POINT OF NON-TANGENT;**
- 10. N59°24'51"E A DISTANCE OF 103.30 FEET, TO A POINT OF CURVE;**
- 11. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 780.00 FEET, A CENTRAL ANGLE OF 01°14'02" AND AN ARC LENGTH OF 16.80 FEET, TO A POINT OF TANGENT;**

12. **N58°10'49"E A DISTANCE OF 124.49 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CLOVERFIELD ROAD, SAID POINT BEING A POINT OF NON-TANGENT CURVE;**

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING FIVE (5) COURSES:

1. **ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N54°21'17"E, HAVING A RADIUS OF 410.00 FEET, A CENTRAL ANGLE OF 15°15'51" AND AN ARC LENGTH OF 109.23 FEET, TO A POINT OF NON-TANGENT;**
2. **S50°58'07"E A DISTANCE OF 104.84 FEET, TO A POINT OF NON-TANGENT CURVE;**
3. **ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S39°04'09"W, HAVING A RADIUS OF 269.73 FEET, A CENTRAL ANGLE OF 95°15'09" AND AN ARC LENGTH OF 448.43 FEET, TO A POINT OF NON-TANGENT;**
4. **S44°20'00"W A DISTANCE OF 278.41 FEET, TO A POINT OF NON-TANGENT CURVE;**
5. **ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S45°13'59"E, HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 15°03'35" AND AN ARC LENGTH OF 81.48 FEET, TO A POINT OF NON-TANGENT, SAID POINT BEING ON THE SOUTHERLY LINE OF SAID TRACT B, WOODMOOR PLACER;**

THENCE ON SAID SOUTHERLY LINE, THE FOLLOWING THREE (3) COURSES:

1. **N61°02'18"W A DISTANCE OF 958.19 FEET;**
2. **N60°38'25"W A DISTANCE OF 314.83 FEET;**
3. **N83°12'34"W A DISTANCE OF 466.58 FEET, TO THE POINT OF BEGINNING;**

CONTAINING A CALCULATED AREA OF 1,452,072 SQUARE FEET OR 33.3350 ACRES.

PARCEL 2

SIX PARCELS OF LAND BEING PORTIONS OF TRACT F, A VACATION AND REPLAT OF LOTS 496-500 WOODMOOR GREENS RECORDED IN BOOK W-2 AT PAGE 26, TRACT F WOODMOOR GREENS RECORDED IN BOOK U-2 AT PAGE 51 AND TRACT B, WOODMOOR PLACER RECORDED IN BOOK U-2 AT PAGE 66 ALL IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23 AND THE NORTHWEST QUARTER

OF SECTION 24, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE LINE BETWEEN THE 30.00' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 10377 1997 30.00 WC" AND THE 30.0' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SAID SECTION 23, MONUMENTED BY A 1-1/2" ALUMINUM CAP STAMPED "LS 2692", SAID LINE BEARING S89°54'49"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

PARCEL 2-1 (TSN 7123102047)

COMMENCING AT THE 30' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N45°57'28"W A DISTANCE OF 2,950.16 FEET, TO A POINT EASTERLY RIGHT-OF-WAY LINE OF BOWSTRING ROAD, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, N01°07'36"W A DISTANCE OF 121.00 FEET, TO THE NORTHWESTERLY CORNER OF TRACT F, A VACATION AND REPLAT OF LOTS 496-500 WOODMOOR GREENS RECORDED IN BOOK W-2 AT PAGE 26 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON THE NORTHERLY LINE OF SAID TRACT F, N88°52'24"E A DISTANCE OF 180.00 FEET;

THENCE DEPARTING SAID NORTHERLY LINE, S01°07'36"E A DISTANCE OF 121.00 FEET;

THENCE S88°52'24"W A DISTANCE OF 180.00 FEET, TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 21,780 SQUARE FEET OR 0.5000 ACRES.

PARCEL 2-2 (TSN 7123102048)

COMMENCING AT THE 30' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N48°29'02"W A DISTANCE OF 2,827.55 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BOWSTRING ROAD, SAID POINT BEING THE SOUTHWESTERLY CORNER OF TRACT F, A VACATION AND REPLAT OF LOTS

496-500 WOODMOOR GREENS RECORDED IN BOOK W-2 AT PAGE 26 IN THE RECORDS OF THE EL PASO CLERK AND RECORDER, AND THE POINT OF BEGINNING;

THENCE ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID BOWSTRING ROAD, N01°07'36"W A DISTANCE OF 121.77 FEET

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, N89°52'24"E A DISTANCE OF 181.20 FEET;

THENCE S01°07'36"E A DISTANCE OF 118.62 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID TRACT F;

THENCE ON SAID SOUTHERLY LINE, S87°52'36"W A DISTANCE OF 181.23 FEET, TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 21,779 SQUARE FEET OR 0.5000 ACRES.

PARCEL 2-3 (TSN 7123102050)

COMMENCING AT THE 30' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N29°09'25"W A DISTANCE OF 1,388.71 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LEGGINS WAY, SAID POINT BEING AN ANGLE POINT ON THE SOUTHWESTERLY LINE OF TRACT F, WOODMOOR GREENS, RECORDED IN BOOK U-2 AT PAGE 51 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AND THE POINT OF BEGINNING;

THENCE ON THE SOUTHWESTERLY LINE OF SAID TRACT F THE FOLLOWING TWO (2) COURSES:

1. N65°03'20"W A DISTANCE OF 123.87 FEET;
2. N34°17'20"W A DISTANCE OF 78.69 FEET, TO A POINT ON THE SOUTHERLY LINE OF A 16.00 FOOT UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 202153260;

THENCE ON SAID SOUTHERLY EASEMENT LINE, N61°43'32"E A DISTANCE OF 151.99 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, S28°16'28"E A DISTANCE OF 177.70 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEGGINS WAY, SAID POINT BEING A POINT OF NON-TANGENT CURVE;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S22°31'56"E, HAVING A RADIUS OF 360.00 FEET, A CENTRAL ANGLE OF 11°05'27" AND AN ARC LENGTH OF 69.69 FEET, TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 22,083 SQUARE FEET OR 0.5069 ACRES.

PARCEL 2-4 (TSN 7124202239)

COMMENCING AT THE 30' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N27°54'57"E A DISTANCE OF 1420.57 FEET, TO A POINT ON THE EASTERLY LINE OF THAT PROPERTY DESCRIBED IN THE TRUSTEE'S DEED RECORDED UNDER RECEPTION NO. 211111394 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE PERIMETER OF SAID PROPERTY THE FOLLOWING SEVEN (7) COURSES:

1. N52°15'31"W A DISTANCE OF 7.98 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 430.00 FEET, A CENTRAL ANGLE OF 52°42'18" AND AN ARC LENGTH OF 395.55 FEET, TO A POINT OF TANGENT;
3. N00°26'47"E A DISTANCE OF 266.67 FEET, TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1470.00 FEET, A CENTRAL ANGLE OF 08°35'03" AND AN ARC LENGTH OF 220.24 FEET, TO A POINT OF TANGENT;
5. N08°08'16"W A DISTANCE OF 85.83 FEET;
6. S85°02'46"W A DISTANCE OF 42.49 FEET, TO A POINT OF NON-TANGENT CURVE;
7. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N58°14'45"W, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 105°01'39" AND AN ARC LENGTH OF 91.65 FEET, TO A POINT OF NON-TANGENT,

THENCE DEPARTING SAID PROPERTY THE FOLLOWING TWO (2) COURSES:

1. N84°03'34"E A DISTANCE OF 224.55 FEET;
2. S05°52'43"E A DISTANCE OF 936.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 101,309 SQUARE FEET OR 2.3257 ACRES.

PARCEL 2-5 (TSN 7124202240)

