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RESOLUTION NO. 22-65

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

**APPROVE FINAL PLAT FOR THE GLEN AT WIDEFIELD FILING NO. 11
(SF-20-004)**

WHEREAS, Glen Investment Group No. VIII, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Glen at Widefield No. 11 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 February 17, 2022, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on March 1, 2022; 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.
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. 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)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. A public sewage disposal system has been established or, 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 that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Land Development Code.
15. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or

are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.

16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. 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 final plat application for the Glen at Widefield Filing No. 11 Subdivision;

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

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicant shall submit the Mylar to Enumerations for addressing.

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 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.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the final plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, 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.
10. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of \$48,101.00 and urban park (Area 2) fees in the amount of \$30,385.00 shall be paid at the time of plat recordation.
11. Fees in lieu of school land dedication in the amount of \$21,321.00 shall be paid to El Paso County for the benefit of Widefield School District No. 3 at the time of plat recording.
12. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.

13. Drainage fees in the amount of \$164,780.38 and bridge fees in the amount of \$48,755.62 for the West Fork Jimmy Camp Creek drainage basin (FOFO2000) shall be paid to El Paso County at the time of plat recordation.
14. The applicant shall complete an escrow agreement with the Colorado Department of Transportation (CDOT) in the amount of \$18,596 to be applied towards the construction of a traffic signal at the Mesa Ridge Parkway and Powers Boulevard intersection prior to final plat recordation.
15. The applicant shall complete an escrow agreement with the El Paso County in the amount of \$5,859 to be applied towards the construction of a traffic signal at the Mesa Ridge Parkway and Spring Glen Drive intersection prior to final plat recordation.
16. The applicant shall complete an escrow agreement with the El Paso County in the amount of \$6,489 to be applied towards the construction of a traffic signal at the Peaceful Valley Road and South Marksheffel Road intersection prior to final plat recordation.
17. The applicant shall provide sufficient collateral for the installation of the right-in-right-out intersection improvements at Poa Annua Street and Marksheffel Road as shown on the approved construction drawings. The right-in-right-out intersection improvements shall not be installed by the developer until a notice to proceed with construction of said improvements is provided by El Paso County. This intersection will be allowed as an interim full movement intersection until either a connection becomes available through the property to the north to Lorson Boulevard, a traffic signal is installed at the intersection of Peaceful Valley Road and South Marksheffel Road, or safety or operational problems arise which necessitate proceeding with the right-in-right-out intersection improvements at Poa Annua Street and South Marksheffel Road.

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference

is held with the Planning and Community Development Department
Inspections staff and a Construction Permit is issued by the Department.

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

DONE THIS 1st day of March, 2022 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By:



County Clerk & Recorder

By:

Alan L. Vandenberg
Chair

EXHIBIT A

LAND DESCRIPTION, THE GLEN AT WIDEFIELD
SUBDIVISION FILING NO. 11:

A tract of land located in a Portion of the South One-half (S1/2) of Section 22, Township 15 South (T15S), Range 65 West (R65W) of the 6th P.M., County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Lot 89, Glen at Widefield Subdivision Filing No. 8 as recorded under Reception No. 218714205 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado; Thence N00°04'54"E, a distance of 405.64 feet; Thence N68°48'00"E, a distance of 146.71 feet; Thence N67°16'30"E, a distance of 133.27 feet; Thence N24°56'29"E, a distance of 48.70 feet; Thence N18°59'59"E, a distance of 87.12 feet; Thence N41°26'03"E, a distance of 38.75 feet; Thence N81°14'24"E, a distance of 43.05 feet; Thence N00°18'38"W, a distance of 170.00 feet; Thence N89°41'22"E, a distance of 28.36 feet; Thence N01°18'38"W, a distance of 483.09 feet to a point on the North line of the South One-half (S1/2) of said Section 22; Thence N89°51'21"E along the North line of the South One-half (S1/2) of said Section 22, a distance of 944.14 feet to a point on the Westerly Right-of-Way line of Marksheffel Road; Thence S15°11'44"W along the Westerly Right-of-Way line of Marksheffel Road, a distance of 2686.82 feet to a point on the Northerly Right-of-Way line of Peaceful Valley Road as described in said Glen at Widefield Subdivision Filing No. 8; Thence N74°27'43"W along said Northerly Right-of-Way line, a distance of 161.72 feet; Thence continuing along said Northerly Right-of-Way line on the arc of a curve to the right, having a central angle of 44°41'37", a radius of 175.00 feet, an arc length of 136.51 feet; Thence along the arc of a non-tangential curve to the left having a central angle of 106°52'38", a radius of 20.00 feet, an arc length of 37.31 feet, whose chord bears S83°12'25"E; Thence N43°21'16"E, a distance of 34.29 feet to a point on the Westerly line of a 110.00 foot Gas Line Easement as described under Reception No. 202092771 in the records of the Clerk and Recorder's Office of said County; Thence along the Westerly line of said 110.00 foot Gas Line Easement, the following five (5) courses:

- 1.) N06°05'38"W, a distance of 115.36 feet;
- 2.) Thence N24°24'25"W, a distance of 220.92 feet;
- 3.) Thence N32°55'46"W, a distance of 190.67 feet;
- 4.) Thence N27°15'04"W, a distance of 389.87 feet;
- 5.) Thence N09°45'52"W, a distance of 300.61 feet to the Point of Beginning.

EXEPTING THERE FROM:

That portion of Tract "C" as described in the Well Tract JWH-1A Water Easement Agreement recorded under Reception No. 97048696 and in Quit Claim Deed recorded April 1, 2020 under Reception No. 220059551.

Said Parcel contains 44.975 acres (1,959,119 S.F.) more or less.