

FINAL PLAT (RECOMMEND APPROVAL)

Morales moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION  
OF THE COUNTY OF EL PASO  
STATE OF COLORADO

RESOLUTION NO. SF246  
SILVERADO RANCH FILING NO. 2

WHEREAS, Silverado Ranch Inc. did file an application with the El Paso County Planning and Community Development Department for approval of a Final Plat for the Silverado Ranch Filing No. 2 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 this Commission on June 17, 2025; 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, and comments by the El Paso County Planning Commission members during the hearing, this Commission 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 hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. 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.

6. For the above-stated and other reasons, the proposed Final Plat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code ("Code") (as amended), as follows:

1. The Subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The Subdivision is in substantial conformance with the approved Preliminary Plan;
3. The Subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
4. 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 Code;
5. 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 Code;
6. 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)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM");
8. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement acceptable to the County in compliance with the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed Subdivision;
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. 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 Code;

12. 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 SIA so the impacts of the Subdivision will be adequately mitigated;
13. The Subdivision meets other applicable sections of Chapter 6 and 8 of the Code;
14. The extraction of any known commercial mining deposit shall not be impeded by this Subdivision [C.R.S. §§ 34-1-302(1), et seq.]; and

WHEREAS, 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 Code;

WHEREAS, this Commission further finds that the proposed Waiver(s) from the Code meet(s) the criteria for a Waiver outlined in Section 7.3.3 of the Land Development Code and any other applicable criteria for consideration of a Waiver.

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the petition of Silverado Ranch Inc. for approval of a Final Plat for the Silverado Ranch Filing No. 2 Subdivision meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code and be approved by the Board of County Commissioners with the following conditions and notations:

#### 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 Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated May 23, 2025, as provided by the County Attorney's Office.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
  - a. Drainage Fees in the amount of \$0 and bridge fees in the amount of \$0 for the Drennan Basin basin.
  - b. Park fees in lieu of land dedication for regional parks (Area 4) in the amount of \$7,575.
  - c. Fees in lieu of school land dedication in the amount of \$2,775 shall be paid for the benefit of Ellicott School District 22.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. 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 No. 24-377), 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.

BE IT FURTHER RESOLVED that the El Paso County Planning Commission recommends approval of the following Waivers from the Land Development Code:

WAIVERS

A Waiver from Section 8.4.4.E of the Code to allow for a private road where a public road is required.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

Whitney seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

|                     |   |
|---------------------|---|
| Sarah Brittain Jack | <u>aye</u> / no / non-voting / recused / absent |
| Jim Byers           | <u>aye</u> / no / non-voting / recused / absent |
| Jay Carlson         | aye / no / non-voting / recused / <u>absent</u> |
| Becky Fuller        | aye / no / non-voting / recused / <u>absent</u> |

|                     |   |
|---------------------|---|
| Jeffrey Markewich   | aye / no / non-voting / recused / <u>absent</u> |
| Eric Moraes         | <u>aye</u> / no / non-voting / recused / absent |
| Bryce Schuettpelz   | aye / no / non-voting / recused / <u>absent</u> |
| Wayne Smith         | aye / no / non-voting / recused / <u>absent</u> |
| Tim Trowbridge      | <u>aye</u> / no / non-voting / recused / absent |
| Christopher Whitney | <u>aye</u> / no / non-voting / recused / absent |

The Resolution was adopted by a vote of 5 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 17th day of July 2025 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:   
Chair

EXHIBIT A

A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 15 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 6 OF SILVERADO RANCH SUBDIVISION FILING NO. 1 AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED AT RECEPTION NO. 218714252 OF THE EL PASO COUNTY RECORDS

THENCE N04°42'22"E A DISTANCE OF 70.00 FEET TO A POINT ON THE BOUNDARY LINE OF TRACT B, AS PLATTED BY SAID SILVERADO RANCH SUBDIVISION FILING NO. 1;

THE FOLLOWING EIGHT (8) COURSES ARE ALONG THE BOUNDARY OF SAID TRACT B;

1. THENCE N04°42'22"E A DISTANCE OF 284.81 FEET;
2. THENCE N89°17'05"E A DISTANCE OF 342.94 FEET;
3. THENCE N86°23'17"E A DISTANCE OF 486.04 FEET;
4. THENCE N87°48'05"E A DISTANCE OF 389.63 FEET;
5. THENCE S86°29'49"E A DISTANCE OF 418.50 FEET;
6. THENCE N87°04'08"E A DISTANCE OF 290.42 FEET;
7. THENCE S65°00'51"E A DISTANCE OF 267.13 FEET;
8. THENCE S13°23'50"E A DISTANCE OF 465.93 FEET;

THENCE S58°18'12"W A DISTANCE OF 514.52 FEET;

THENCE SOUTHEASTERLY ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 635.00 THROUGH A CENTRAL ANGLE OF 7°56'46" AN ARC DISTANCE OF 88.07 FEET, THE LONG CHORD OF WHICH BEARS S44°11'46"E A DISTANCE OF 88.00 FEET;

THENCE S49°46'37"W A DISTANCE OF 70.00 FEET TO A POINT ON THE BOUNDARY LINE OF TRACT C, AS PLATTED BY SAID SILVERADO RANCH SUBDIVISION FILING NO. 1;

THE FOLLOWING SIX (6) COURSES ARE ALONG THE BOUNDARY OF SAID TRACT C;

1. THENCE S40°18'20"W A DISTANCE OF 436.63 FEET;
2. THENCE N60°57'27"W A DISTANCE OF 187.22 FEET;
3. THENCE N70°52'30"W A DISTANCE OF 565.92 FEET;
4. THENCE N68°41'28"W A DISTANCE OF 320.14 FEET;
5. THENCE N87°39'51"W A DISTANCE OF 356.75 FEET;
6. THENCE N85°29'18"W A DISTANCE OF 277.29 FEET TO THE SOUTHEAST CORNER OF THE AFORESAID LOT 6 OF SILVERADO RANCH SUBDIVISION FILING NO. 1;

THENCE N04°42'22"E ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 457.50 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED TRACT CONTAINS 48.94 ACRES, MORE OR LESS.