

FINAL PLAT (RECOMMEND APPROVAL)

Commissioner Trowbridge moved that the following Resolution be adopted:

**BEFORE THE PLANNING COMMISSION**

**OF THE COUNTY OF EL PASO**

**STATE OF COLORADO**

**RESOLUTION NO. SF-19-022  
Rollin Ridge Estates Final Plat**

WHEREAS, TC&C, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Rollin Ridge 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 November 5, 2020; 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. The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with any applicable 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 that the Planning Commission recommends approval of the application for the final plat of the Rollin Ridge Subdivision 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 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. 18-471), 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. Fees in lieu of park land dedication in the amount of \$7,296.00 for regional fees will be due at the time of recording the final plat.
11. Fees in lieu of school land dedication in the amount of \$4,928.00 shall be paid to El Paso County for the benefit of Lewis Palmer School District No. 38 at the time of plat recording
12. The County Attorney's Conditions of Compliance included within the water finding at the preliminary plan stage, shall be adhered to at the appropriate time (PCD File No. SP-18-001).
13. Drainage fees in the amount of \$3,501.00 and bridge fees in the amount of \$469.80 for Smith Creek (FOMO40000) drainage basin shall be paid to El Paso County at the time of final plat recordation.

**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 Planning and Community Development Inspections and a construction permit is issued by the Planning and Community Development Department.

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

Commissioner Lucia-Treese seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Trowbridge	aye
Commissioner Risley	aye

Commissioner Brittain Jack	aye
Commissioner Moraes	aye
Commissioner Lucia-Treese	aye
Commissioner Bailey	aye
Commissioner Blea-Nunez	aye
Commissioner Carlson	aye
Commissioner Fuller	aye

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DATED: November 5, 2020

  
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Brian Risley, Chair

## EXHIBIT A

### LEGAL DESCRIPTION – ROLLIN RIDGE ESTATES:

A TRACT OF LAND BEING PARCEL 1 AND PARCEL 3 OF THOSE TRACTS AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 217125842 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, LOCATED IN THE NORTH ONE-HALF OF THE NORTH ONE-HALF (N1/2 N1/2) OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 3, AS DESCRIBED IN DEED RECORDED UNDER SAID RECEPTION NO. 217125842, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 200156068 OF SAID COUNTY RECORDS, AS MONUMENTED BY A 5/8" REBAR (NO CAP), FROM WHICH THE NORTHWEST CORNER OF SAID PARCEL 3, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT RIGHT-OF-WAY PARCEL AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 206076668 OF SAID COUNTY RECORDS, AS MONUMENTED BY A 5/8" REBAR WITH ORANGE CAP STAMPED "PLS 32439" BEARS N00°06'39"W (S00°06'40"E PER THAT DEED RECORDED UNDER SAID RECEPTION NO. 217125842), A DISTANCE OF 1262.77 FEET (1262.73 FEET OF RECORD) AND IS THE BASIS OF BEARINGS USED HEREIN;

THENCE N00°06'39"W ALONG THAT LINE COMMON TO SAID PARCEL 3 AND THAT TRACT AS DESCRIBED UNDER SAID RECEPTION NO. 200156068, A DISTANCE OF 1262.77 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 3, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT RIGHT-OF-WAY PARCEL AS DESCRIBED IN DEED RECORDED UNDER SAID RECEPTION NO. 206076668;

THENCE S88°54'09"E ALONG THAT LINE COMMON TO SAID PARCEL 3 AND SAID RIGHT-OF-WAY PARCEL AND ALONG THE SOUTHERLY LINE OF THAT RIGHT-OF-WAY PARCEL AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 206076666 OF SAID COUNTY RECORDS, A DISTANCE OF 1088.19 FEET TO THE SOUTHEAST CORNER OF THAT RIGHT-OF-WAY PARCEL AS DESCRIBED IN DEED RECORDED UNDER SAID RECEPTION NO. 206076666;

THENCE N01°38'38"E ALONG THAT LINE COMMON TO SAID PARCEL 3 AND THE EASTERLY LINE OF THAT RIGHT-OF-WAY PARCEL AS DESCRIBED IN DEED RECORDED UNDER SAID RECEPTION NO. 206076666, A DISTANCE OF 20.08 FEET TO THE NORTHERLY COMMON CORNER THEREOF, SAID POINT ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HODGEN ROAD;

THENCE S88°53'52"E ALONG THAT LINE COMMON TO SAID PARCEL 3 AND SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 856.44 FEET TO THE NORTHEAST

CORNER OF SAID PARCEL 3, SAID POINT ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 83;

THENCE ALONG THAT LINE COMMON TO SAID PARCEL 3 AND SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES;

- 1.) THENCE S02°28'37"E, A DISTANCE OF 870.52 FEET;
- 2.) THENCE S00°34'26"E, A DISTANCE OF 392.85 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 3, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, ROLLIN' RIDGE RANCHEROS FILING NO. 2, AS RECORDED IN PLAT BOOK G3 AT PAGE 43 UNDER RECEPTION NO. 437854 OF SAID COUNTY RECORDS;

THENCE N89°30'30"W ALONG THE SOUTHERLY LINE OF SAID PARCEL 3 AND SAID PARCEL 1, AS DESCRIBED IN DEED RECORDED UNDER SAID RECEPTION NO. 217125842, SAID LINE ALSO BEING

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THE NORTHERLY LINE OF SAID ROLLIN' RIDGE RANCHEROS FILING NO. 2 AND THE NORTHERLY LINE OF ROLLIN' RIDGE RANCHEROS FILING NO. 1, AS RECORDED IN PLAT BOOK H2 AT PAGE 78 UNDER RECEPTION NO. 453371 OF SAID COUNTY RECORDS, A DISTANCE OF 1984.04 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 57.01 ACRES OF LAND, MORE OR LESS.