

FINAL PLAT (RECOMMEND APPROVAL)

Commissioner Lucia-Treese moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF-19-013

Creekside at Lorson Ranch Filing No. 1

WHEREAS, Lorson, LLC Nominee for Heidi, LLC and for Lorson Conservation Invest I LLLP, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Creekside at Lorson Ranch Filing No. 1 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 October 15, 2019; 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 Creekside at Lorson Ranch Filing No. 1 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. The 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 Parks and 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 ECM Administrator, 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. The applicants shall mitigate the constraints identified in RMG Engineering's geology, soils, and hazards report dated August 10, 2018. RMG Engineering's recommendations include additional geotechnical investigation, testing and analysis for design of individual foundations, floor systems, and subsurface drainage to be completed prior to the issuance of lot specific building permits.
11. Park fees in lieu of land dedication for regional parks (Area 4) in the amount of \$107,160 and urban parks (Area 4) in the amount of \$67,680.00 shall be paid at the time of plat recordation. If a park lands agreement is executed prior to the plat recordation, the urban park fees will be waived.
12. Drainage, bridge, and surety fees for the Jimmy Camp Creek basin, in the amounts of \$429,894, \$20,100, and \$170,669, respectively, shall be paid at the time of final plat recording. If credits have been established prior to recordation of the final plat, the credits may be applied towards the fees due.
13. The developer shall participate in a fair and equitable manner in the design and future construction of intersection improvements at Lorson Boulevard and Marksheffel Road, which shall be constructed by the developer at the time warrants are met.
 - a. The fair share attributed to Carriage Meadows North shall be deposited as escrow in the amount of \$19,441, as identified in the Transportation Memorandum dated April 26, 2019, showing the proportionate impacts of the Lorson Ranch subdivision filings that are anticipated to add traffic to this intersection to a level warranting signalization or other improvements. An escrow agreement, including a financial assurance estimate for the intersection signalization improvements, as approved by the Planning and Community Development Department Director and the County Attorney's Office, shall be completed and escrow deposited prior to recording the final plat.
 - b. A decision regarding the County's preferred intersection option (signal, roundabout or channelized tee) will be provided upon receipt of future warrant studies.
 - c. Within one year of final plat recording or upon buildout of Creekside at Lorson Ranch Filing No. 1, whichever occurs first, Developer shall provide signal warrant analyses for the Lorson Blvd./Marksheffel Road intersection to EPC PCD and EPC Department of Public Works (DPW) for review. If signal warrants are met, developer

shall submit construction plans to PCD for review prior to approval of any additional development within Lorson Ranch that will add traffic to the intersection. If signal warrants are within one year of final plat recording or upon buildout of Creekside at Lorson Ranch Filing No. 1, whichever occurs first, warrant analyses shall be updated every six months unless otherwise changed in writing by the County Engineer. The improvements to the Lorson Boulevard/Marksheffel Road intersection shall be fully collateralized within one month of receiving written direction from the County Engineer. Construction plans shall be approved, and construction started on the improvements, within six months after said direction has been provided. The intersection improvements are not currently reimbursable under the requirements of the Road Fee program (see No. 3 on page 19 of the implementation document).

14. The Lorson Boulevard bridge over the Jimmy Camp Creek main channel shall be completed and preliminarily accepted by El Paso County prior to recording the first Creekside final plat.
15. A LOMR (Letter of Map Revision) is required to be completed prior to recordation of the final plat.
16. The developer and/or Lorson Ranch Metropolitan District shall be responsible for maintenance of the Jimmy Camp Creek East Tributary.
17. The construction drawings (CDR19-002) shall be approved by the Planning and Community Development Department and collateral shall be provided from the applicant to guarantee said improvements prior to the recordation of the Creekside at Lorson Ranch Filing No. 1 final plat.

NOTATIONS

1. Final plats not recorded within 12 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. No school fees are due upon plat recordation pursuant to a Site Dedication and Waiver of Fees in Lieu of Land Dedication agreement between Lorson, LLC, Widefield School District No. 3, and El Paso County, as originally approved by the Board of County Commissioners on April 12, 2012 and as amended by approval of the Board of County Commissioners on August 23, 2016.

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 Creely seconded the adoption of the foregoing Resolution.

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

Commissioner Risley	aye
Commissioner Creely	aye
Commissioner Brittain Jack	aye
Commissioner Lucia-Treese	aye
Commissioner Dillon	aye

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

DATED: October 15, 2019



Brian Risley, Chair

EXHIBIT A

CREEKSIDE AT LORSON RANCH FILING NO. 1 83.088 ACRES BOUNDARY

A PARCEL OF LAND IN THE NORTH HALF OF SECTION 23, T15S, R65W, OF THE 6th P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS USED IN THIS LEGAL DESCRIPTION IS THE EAST-WEST CENTERLINE OF SECTION 23, BEING MONUMENTED AT THE QUARTER CORNER COMMON TO SECTIONS 23 AND 24 WITH A 3.25 INCH ALUMINUM CAP ON A NO. 6 REBAR STAMPED "T15S R65W, S23 S24, PLS 31161", AND MONUMENTED AT THE QUARTER CORNER COMMON TO SECTIONS 22 AND 23 WITH A NO. 6 REBAR (NO CAP). SAID CENTERLINE IS ASSUMED TO BEAR S89°41'54"W, 5319.46 FEET.

COMMENCING AT THE QUARTER CORNER COMMON TO SECTIONS 22 AND 23; THENCE N89°41'54"E ALONG SAID CENTERLINE 142.46 FEET TO THE SOUTHEAST CORNER OF "CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 1" AS PLATTED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 218714083 AND THE POINT OF BEGINNING;

THENCE ALONG THE EASTERLY LINES OF SAID "CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 1" THE FOLLOWING THREE (3) COURSES;

(1) THENCE N20°36'33"E A DISTANCE OF 560.24 FEET TO A POINT OF CURVE;
(2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 2169.98 FEET, A CENTRAL ANGLE OF 06°34'13", (THE CHORD OF WHICH BEARS N17°19'26"E, 248.71 FEET), AN ARC DISTANCE OF 248.84 FEET TO A POINT OF TANGENT;

(3) THENCE N04°02'20"E ALONG SAID TANGENT 295.75 FEET TO THE SOUTHWEST CORNER OF "THE MEADOWS AT LORSON RANCH FILING NO. 4" AS PLATTED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 215713698;

THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID "THE MEADOWS AT LORSON RANCH FILING NO. 4" THE FOLLOWING EIGHT (8) COURSES;

(1) THENCE N89°35'58"E A DISTANCE OF 508.54 FEET TO A POINT OF CURVE;
(2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 948.17, A CENTRAL ANGLE OF 35°42'15", (THE CHORD OF WHICH BEARS N71°44'51"E, 581.34 FEET), AN ARC DISTANCE OF 590.86 FEET TO A POINT OF TANGENT;

(3) THENCE N53°53'43"E ALONG SAID TANGENT 488.36 FEET TO A POINT OF CURVE;

(4) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1058.48 FEET, A CENTRAL ANGLE OF 36°19'14", (THE CHORD OF WHICH BEARS N72°03'20"E, 659.81 FEET), AN ARC DISTANCE OF 670.99 FEET;

(5) THENCE N44°35'58"E NON-TANGENT TO THE PREVIOUS COURSE 35.36 FEET;

(6) THENCE N00°24'02"W A DISTANCE OF 158.34 FEET TO A POINT OF CURVE;

(7) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 566.89 FEET, A CENTRAL ANGLE OF 15°51'49", (THE CHORD OF WHICH BEARS N08°19'56"W, 156.45 FEET), AN ARC DISTANCE OF 156.96 FEET;

(8) THENCE N73°44'10"E RADIAL TO THE PREVIOUS COURSE 5.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF "OLD GLORY DRIVE" AS RECORDED IN A SPECIAL WARRANTY DEED UNDER RECEPTION NO. 208057388 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE ALONG THE WESTERLY, SOUTHERLY AND EASTERLY LINES OF SAID "OLD GLORY DRIVE" THE FOLLOWING FOUR (4) COURSES;

(1) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, RADIAL TO THE PREVIOUS COURSE, SAID CURVE HAVING A RADIUS OF 571.99 FEET, A CENTRAL ANGLE OF 15°51'37", (THE CHORD OF WHICH BEARS S08°19'52"E, 157.83 FEET), AN ARC DISTANCE OF 158.33 FEET TO A POINT OF TANGENT

(2) THENCE S00°24'02"E ALONG SAID TANGENT 183.34 FEET;

- (3) THENCE N89°35'58"E A DISTANCE OF 60.00 FEET;
- (4) THENCE N00°24'02"W A DISTANCE OF 40.17 FEET TO THE SOUTHWEST CORNER OF "ALLEGIAN AT LORSON RANCH" AS PLATTED UNDER RECEPTION NO. 212713204 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE ALONG THE SOUTHERLY LINES OF SAID "ALLEGIAN AT LORSON RANCH" THE FOLLOWING TWO (2) COURSES;

- (1) THENCE S45°24'02"E A DISTANCE OF 56.57 FEET;
 - (2) THENCE N89°35'58"E A DISTANCE OF 594.34 FEET TO THE SOUTHWEST CORNER OF "THE MEADOWS AT LORSON RANCH FILING NO. 3" AS PLATTED UNDER RECEPTION NO. 213713396 IN THE EL PASO COUNTY, COLORADO RECORDS;
- THENCE N89°35'58"E ALONG THE SOUTHERLY LINE THEREOF 85.21 FEET TO THE WESTERLY LINE OF "LORSON RANCH EAST FILING NO. 1" AS PLATTED UNDER RECEPTION NO. 219714288 IN THE EL PASO COUNTY, COLORADO RECORDS;
- THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID "LORSON RANCH EAST FILING NO. 1" THE FOLLOWING SIX (6) COURSES;

- (1) THENCE S00°24'02"E A DISTANCE OF 80.00 FEET;
 - (2) THENCE N89°35'58"E A DISTANCE OF 14.76 FEET;
 - (3) THENCE S45°24'02"E A DISTANCE OF 14.14 FEET;
 - (4) THENCE N89°35'58"E A DISTANCE OF 60.00 FEET;
 - (5) THENCE N51°59'14"E A DISTANCE OF 29.49 FEET
 - (6) THENCE N89°35'58"E A DISTANCE OF 693.52 FEET;
- THENCE S21°18'01"W A DISTANCE OF 20.20 FEET;
- THENCE S11°46'57"W A DISTANCE OF 127.69 FEET;
- THENCE S00°29'43"W A DISTANCE OF 173.06 FEET;
- THENCE S11°17'09"W A DISTANCE OF 285.14 FEET;
- THENCE S31°55'05"W A DISTANCE OF 182.34 FEET;
- THENCE S 58°54'51"E A DISTANCE OF 4.71 FEET;
- THENCE S31°05'09"W A DISTANCE OF 90.00 FEET;
- THENCE S76°28'55"W A DISTANCE OF 247.86 FEET;
- THENCE N82°16'06"W A DISTANCE OF 188.62 FEET;
- THENCE S77°50'20"W A DISTANCE OF 405.01 FEET;
- THENCE S60°55'25"W A DISTANCE OF 219.41 FEET;
- THENCE S17°08'25"W A DISTANCE OF 123.42 FEET;
- THENCE S85°20'33"W A DISTANCE OF 169.20 FEET;
- THENCE N65°32'01"W A DISTANCE OF 188.46 FEET;
- THENCE N44°43'03"W A DISTANCE OF 230.04 FEET;
- THENCE N88°34'10"W A DISTANCE OF 160.16 FEET TO A POINT OF CURVE;
- THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 215.00 FEET, A CENTRAL ANGLE OF 74°59'26", (THE CHORD OF WHICH BEARS S53°56'07"W, 261.74 FEET), AN ARC DISTANCE OF 281.40 FEET TO A POINT OF TANGENT;
- THENCE S16°26'24"W ALONG SAID TANGENT 116.82 FEET;
- THENCE S83°30'09"W A DISTANCE OF 446.06 FEET;
- THENCE N77°01'58"W A DISTANCE OF 350.83 FEET;
- THENCE S28°55'26"W A DISTANCE OF 265.02 FEET;
- THENCE S36°43'29"W A DISTANCE OF 311.41 FEET TO THE EAST-WEST CENTERLINE OF SECTION 23;
- THENCE S89°41'54"W ALONG SAID CENTERLINE 749.79 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND CONTAINS A CALCULATED AREA OF 83.088 ACRES MORE OR LESS.