

EL PASO

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
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COUNTY

STAN VANDERWERF
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Board of County Commissioners
Darryl Glenn, President**

**FROM: Nina Ruiz, Planner II
Gilbert LaForce, PE Engineer II
Craig Dossey, Executive Director**

**RE: Project File #: SF-16-017
Project Name: Springs at Waterview Final Plat
Parcel No.: 55072-06-036**

OWNER:	REPRESENTATIVE:
Ros Equity Holdings-Independence 31 N Tejon Street 5 th floor Colorado Springs, CO 80903	Dakota Springs Engineering LLC 31 N Tejon, Suite 500 Colorado Springs, CO 80903

Commissioner District: 4

Planning Commission Hearing Date:	10/02/18
Board of County Commissioners Hearing Date:	10/23/18

EXECUTIVE SUMMARY

A request by Ros Equity Holdings-Independence for approval of a final plat to create 85 single-family residential lots. The 15.68 acre parcel is zoned RS-5000 (Residential Suburban) and is located north of Bradley Road, east of Grinnell Boulevard, and is within Section 7, Township 15 South, Range 65 West of the 6th P.M. The property is not located within a small area plan.

A. REQUEST/WAIVERS/MODIFICATIONS/AUTHORIZATION

Request: A request by Ros Equity Holdings-Independence for approval of a final plat to create 85 single-family residential lots within the RS-5000 (Residential Suburban) zoning district.

Waiver(s)/Modification(s): There are no waivers being requested.



Authorization to Sign: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. Planning Commission Summary

Request Heard: As a Consent Item at the October 2, 2018 hearing.

Recommendation: Approval based on the recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 8 to 0

Vote Rationale: N/A

Summary of Hearing: Applicant was represented at the meeting

Legal Notice: N/A

C. APPROVAL CRITERIA

In approving a final plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2018):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- 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;
- 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 this Code;
- 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 this Code;
- 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)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;

- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
- 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;
- 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;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

North:	PUD (Planned Unit Development)	Vacant
South:	A-5 (Agricultural)	Fountain Valley School
East:	PUD (Planned Unit Development)	Single-Family Residential
West:	A-5 (Agricultural)	Vacant

E. BACKGROUND

The parcel was zoned A-2 (Agricultural) on May 11, 1942, when zoning was first initiated for this portion of El Paso County. Due to changes in the nomenclature of the El Paso County Land Development Code, the A-2 zoning district was renamed as the A-5 (Agricultural) zoning district. A request to rezone the 15.68 acre parcel from A-5 to the RS-5000 (Residential Suburban) zoning district was approved on May 22, 2018.

The Waterview Sketch Plan (SKP-00-002) was approved by the Board of County Commissioners on May 10, 2001, by Resolution No. 01-191. Conditions were imposed limiting all zoning within the sketch plan area to PUD (Planned Unit Development). Additionally, Condition No. 3 required two lanes of Bradley Road, which was anticipated to ultimately be a four lane arterial, to be constructed by the completion of Phase 1 (single-family development known as Painted Sky Filings 1-6).

Approval

In 2014, the Sketch Plan was amended (SKP-13-001) to change two of the conditions of approval for the 2001 Waterview Sketch Plan. The changes to the conditions included removal of the requirement for Planned Unit Development zoning within the boundaries of the sketch plan and downgrading Bradley Road, from Grinnell Boulevard to Powers Boulevard, from a four lane arterial roadway to a two-lane collector roadway. The revised sketch plan also required the completion of Bradley Road with Phase 1 from Grinnell Boulevard to Goldfield Road, which has since been constructed. The amended conditions of approved for the sketch plan allow for the final build-out of Bradley Road from Goldfield Road to Powers Boulevard to be deferred until Phase 4. A traffic study will be required with the submittal of any preliminary plan(s) and final plat(s) to determine regional cost sharing of intersection/interchange improvements at Bradley Road and Powers Boulevard.

An administrative amendment to the sketch plan was approved on April 2, 2018, to decrease and reconfigure the commercial area from 108.6 acres to 107.5 acres, eliminate one phase of multi-family development reducing the multi-family area from 39.9 acres to 28.5 acres, and increase the single family residential area from 339.8 acres to 351.2 acres. As a result, the total number of dwelling units allowed in the sketch plan area was reduced from 2096 units to 2017 units.

A subdivision exemption was approved by the Board of County Commissioners in 2015 to allow for the creation of a 0.36 acre parcel for a pump station for the Security Water and Sanitation District (EX-15-002). The subject parcel is included in this action as "Parcel A", a remainder parcel. The Board of County Commissioners approved the preliminary plan for 85 single family lots on June 26, 2018. The proposed final plat, which is included in Phase 1 of the approved sketch plan, is in conformance with the preliminary plan.

F. ANALYSIS

1. Land Development Code Analysis

The El Paso County Board of County Commissioners made a finding of compatibility and conformity with the Land Development Code with the previously approved sketch plan (SKP-00-002, SKP-13-001). The same finding was made with the approval of the administrative amendment to the sketch plan (SKP-16-002). The map amendment (rezone) approval from the A-5 (Agricultural) to the RS-5000 (Residential Suburban) zoning district as well as the preliminary plan for 85 single-family residential lots was in conformance with the approved amended sketch plan. The final plat is in conformance with the sketch plan and preliminary plan.

2. Zoning Compliance

The applicant is requesting a final plat for 85 residential lots in the RS-5000 (Residential Suburban) zoning district. The RS-5000 zoning district is intended to accommodate single-family and two-family residential development. The density and dimensional standards for the RS-5000 zoning district for single family detached development are as follows:

- Minimum lot size – 5000 square feet
- Setbacks – front 25 feet, sides 5 feet, and rear 25 feet.
- Maximum building height – 30 feet
- Maximum lot coverage – 40 or 45 percent

The final plat is in compliance with the dimensional standards of the Land Development Code (2018).

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County Master Plan.

Relevant policies are as follows:

Policy 6.1.1- Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.

Policy 6.1.3

Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.1.10- Ensure that new development will not create a disproportionately high demand on public services and facilities by virtue of its location, design or timing.

Policy 6.1.11- Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 10.1.2- Carefully consider the impacts that proposed new developments will have on the viability of existing and proposed water and wastewater systems.

Policy 13.1.2- Support the provision of land use availability to meet the housing needs of county residents.

The parcels located west of Grinnell Boulevard are zoned A-5 (Agricultural), but have been designated as open space/drainage on the approved sketch plan. The lots located immediately to the east of the subject parcel are within the Painted Sky at Waterview subdivision. The average lot size within the Painted Sky at Waterview subdivision is 5,500 square feet. The adjacent parcel located directly to the north is zoned A-5 and is planned for future commercial development in the approved sketch plan.

The final plat will allow for the construction of the proposed 85 single family dwelling units. Central water and wastewater as well as gas and electrical services are available for the proposed residential development. A finding of consistency with the Policy Plan was made by the El Paso County Board of County Commissioners with the previously approved sketch plans (SKP-00-002 and SKP-13-001). The same finding was made with approval of the administrative amendment to the sketch plan (SKP-16-002). The final plat is in conformance with the approved sketch plan.

4. Small Area Plan Analysis

The subject parcel is not located within a small area plan.

5. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Division, and Colorado Parks and Wildlife were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies no potential deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No physical hazards were identified in the review of the final plat request.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential.

3. Floodplain

The property is located within flood zone X in the FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0764F, which is an area of minimal flood hazard and determined to be outside the 500-year floodplain.

4. Drainage and Erosion

The property is located within the Windmill Gulch (FOFO3000) drainage basin. The basin is included in the El Paso County drainage basin fee program and fees will be calculated in the Final Drainage Report and will be due at the time of final plat recordation.

Site runoff generally drains to the west and is collected by a proposed storm sewer system and will be directed to an existing offsite water quality detention pond via an existing 72 inch storm drain under Grinnell Boulevard. Water quality and flood control detention for the subdivision are accounted for by the existing water quality pond and existing regional detention pond (Windmill Gulch Detention Pond #4). The two existing facilities, located west of Grinnell Boulevard, were designed to provide detention and water quality for the entire Waterview development area. The water quality pond is maintained by the Waterview I Metropolitan District and the detention pond is maintained by El Paso County.

5. Transportation

The approved sketch plan amendment (SKP-16-051) revised the site from commercial and multi-family use to single family resulting in a decrease of approximately 1,360 vehicle trips compared to the previous Waterview Sketch Plan Amendment (SKP-13-001). The 2040 Roadway Improvement Projects (Project ID C16) of the 2016 El Paso County Major Transportation Corridor Plan update (MTCP) anticipates upgrading Grinnell Boulevard to a 4-Lane Minor Arterial; however, no offsite improvements are anticipated with respect to this development. The traffic generated by the proposed development is not anticipated to cause adverse impacts to the surrounding transportation network.

Access to the development is provided from Bradley Road and Grinnell Boulevard via Escanaba Drive and Goldfield Drive. All streets are planned to be public roads and will need to be constructed to County standards. The platting and development of Springs at Waterview Filing No. 1 will result in the dedication of approximately 0.47 miles (urban local) of developer-constructed roadways for ongoing County ownership and maintenance.

Previously approved final plat filings in the Waterview Sketch Plan area have contributed funds towards an escrow for a future signal at the intersection of Grinnell Boulevard and Goldfield Drive. The development will also be providing escrow funds as a fair share contribution towards the future signal. The fair share contribution is based on the developments percentage of the total traffic through the intersection, which equates to approximately 0.9 percent.

Springs at Waterview Filing No. 1 is subject to the countywide Road Impact Fee Program (Resolution 16-454). The applicant has elected to include this subdivision within the El Paso County Public Improvements District No. 2 and as such will be subject to applicable road impact fees and mill levy.

H. SERVICES

1. Water

The subdivision will be served by Security Water and Sanitation. A finding of water quality, quantity and dependability was made by the Board of County Commissioners with the prior preliminary plan approval.

2. Sanitation

Sanitary sewer will be provided by the Security Water and Sanitation District.

3. Emergency Services

The property is within the Security Fire Protection District.

4. Utilities

Colorado Springs Utilities will provide electrical and natural gas service to the property.

5. Metropolitan Districts

The property is located within the Waterview I Metropolitan District.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$36,550 for regional fees and \$23,120 for urban park fees will be due at the time of recording the final plat.

7. Schools

Fees in lieu of school land dedication in the amount of \$17,595 will be due at the time of recording the final plat.

I. APPLICABLE RESOLUTIONS

See Attached Resolution.

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. CONDITIONS AND NOTATIONS

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2018) staff recommends 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. 16-454), 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 4) and urban park (Area 4) fees shall be paid at time of plat recordation.
11. Fees in lieu of school land dedication shall be paid to El Paso County for the benefit of Widefield School District No. 3 at time of plat recording.
12. The applicant shall make a fair share contribution in the amount of \$1,631.97 towards escrow for a traffic signal at the intersection of Grinnell and Goldfield.
13. Drainage fees in the amount of \$124,791 and bridge fees in the amount of \$1,871 for the Windmill Gulch (FOFO3000) drainage basin shall be paid to El Paso County at the time of plat recordation.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified twenty-four (24) adjoining property owners on September 11, 2018, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Final Plat Drawing
Planning Commission Resolution
Board of County Commissioners' Resolution

El Paso County Parcel Information

File Name: SF-16-017

Zone Map No: --

PARCEL	NAME
5507206036	RCOS EQUITY HOLDINGS-INDEPENDENCE

ADDRESS	CITY	STATE
31 N TEJON ST 5TH FLOOR	COLORADO SPRINGS	CO

ZIP	ZIP+4
80903	

Date: September 11, 2018



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W Garden of the Gods Rd
 Colorado Springs, CO 80907
 (719) 520-6600



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Letter of Intent
Springs at Waterview Final Plat
01/18

Owners: Frank W. Howard #2 Limited Partnership, LLLP
3232 Muirfield Dr.
Colorado Springs, Co. 80907
(719) 440-6879

Applicant: SWV, LLC
31 North Tejon St., Suite 500
Colorado Springs, Co. 80903
(719) 377-0244

Consultant: Dakota Springs Engineering
31 North Tejon St., Suite 500
Colorado Springs, CO 80903
(719) 227-7388

Tax Schedule Nos.: 5507206036

Site Information:

Springs at WaterView is a proposed 80 lot subdivision on 15.67 acres. The proposed plat is a re-plat of:

PARCEL A, WATERVIEW PUMP STATION SUBDIVISION EXEMPTION AN EXEMPTION PLAT OF TRACT D OF PAINTED SKY AT WATERVIEW FILING NO. 1, RECORDED JUNE 22, 2015 UNDER RECEPTION NO. 215713634, COUNTY OF EL PASO, STATE OF COLORADO

The site lies in Section 7 of Township 15 South, Range 65 West. The proposed plat is south of Goldfield Drive, north of Bradley Rd, east of Grinnell Boulevard and west of Escanaba Drive.

The property is presently zoned AG and is part of the of the Waterview Sketch Plan. An Amendment to the Waterview Sketch Plan is being submitted simultaneously with the Final Plat submittal as well as a PUD Zoning application and a Preliminary Plan application. The amendment proposes that the 15.67 acres be modified from a multifamily residential and commercial use to a single family residential use. Based on this proposed land use, the applicant has acquired the property and commissioned the design of lots, grading utilities, etc. for future residential development.

Request and Reason:

To approve a Final Plat for a 85 lot residential subdivision. This letter serves as a request to receive El Paso County approval of Final Plat for this site.

The proposed Final Plat is in conformance with the County Policy Plan based on the following Policy analysis:

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

This application meets this policy by maintaining density and land use within the parameters of the adjacent residential properties; the accompanying applications propose a reduction in density and elimination of commercial uses while matching the adjacent residential properties east of Escanaba. Access will be from Escanaba Drive via Grinnell Road and Goldfield Drive and also from Bradley Road. Capacity of these roads is addressed in the accompanying TIS.

Policy 6.1.6: Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

This application meets this policy by taking advantage of existing urban supporting facilities provided by Security Water and Sanitation Districts. Service will be provided based on a previous inclusion agreement with this district.

Policy 10.1.2: Carefully consider the impacts that proposed new developments will have on the viability of existing and proposed water and wastewater systems.

The Security Water District and Security Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The proposed project is within the service boundary of the Security Water and Sanitation Districts; an inclusion agreement is being processed simultaneously with this application.

Policy 10.2.2: Carefully consider the availability of water and wastewater services prior to approving new development.

The Security Water District and Security Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The water and wastewater services are available to serve this property.

This request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code by the following:

- The application is in general conformance with the County Master Plan and previous county approvals; in this case residential land uses.
- The proposed Land Use and Zone District is compatible with the existing and permitted land uses in the area.
- The site is suitable for the intended use.

This request meets the criteria for approval outlined in Section 7.2.1 of the El Paso County Land Development Code by the following:

- The application for Final Plat is in conformance with the County Master Plan.
- The subdivision is in conformance with the accompanying Preliminary Plan application and the application to amend the Sketch Plan.
- The proposed subdivision is consistent with the adjacent subdivision design.
- The proposed water supply is adequate and will be provided by the Security Water District. The estimated water requirement is 40 ac-ft. per year.
- The proposed sewage disposal is to be provided by the Security Sanitation District.
- Adequate drainage solutions are provided and follow Preliminary, MDDP and DBPS recommendations.
- Necessary services (fire protection, police, recreation, utilities) have been provided and will continue to be provided by the Security Water District and Security Sanitation District, Security Fire Protection District, El Paso County and the City of Colorado Springs (gas and electric).
- Fire Protection will be provided by the Security Fire Protection District.
- Offsite impacts are minimal and will be mitigated as part of construction.
- Adequate public facilities and infrastructure are provided.
- The subdivision meets all other El Paso County criteria or waivers have been requested in this document.
- No mineral extraction is planned for this site.

Existing and Proposed Facilities:

The site currently is vacant. Proposed (already existing) services in the development include the following:

- Water-Security Water and Sanitation Districts
- Sewer- Security Water and Sanitation Districts
- Electric Service – City of Colorado Springs
- Natural Gas Service – City of Colorado Springs
- Telephone Service – Qwest
- Fire Protection – Security Fire District

Offsite Improvements

The applicant anticipates participating in the future signal by agreement similar to how the Painted Sky at Waterview development contributed.

Traffic Impact Fees:

The applicant requests that platted lots within Springs at Waterview be included in the county wide Public Improvements District #2 formed and implemented as part of the Traffic Impact Fee resolution.

The calculated Traffic Impact Fee for Springs at WaterView is \$78,455 (85 lots x \$923.00 per lot) based on the inclusion in the PID.

Impact Identification:

Preexisting wildlife habitats and migration routes are noted for Pronghorn and the usual prairie animals.

Waiver Requests:

None anticipated.

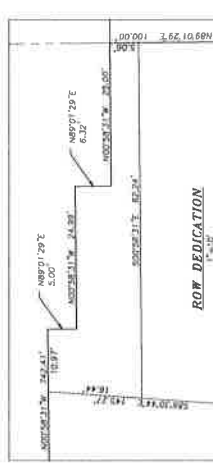
Respectfully,

P.A.Koscielski
SWV, LLC

SPRINGS AT WATERVIEW FILING NO. 1
 A SUBDIVISION OF A PORTION OF THE NORTHWEST 1/4 OF SECTION 7,
 TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
 EL PASO COUNTY, COLORADO
 SHEET 2 OF 2



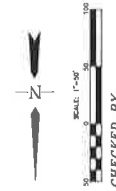
- LEGEND**
- ◆ PLUS CORNER
 - FOUND NO. 5 REBAR WITH CAP
 - FOUND NO. 3 REBAR AT GRADE
 - FOUND NO. 4 REBAR AND CAP
 - PLUS #4S3 (UNLESS SHOWN OTHERWISE)
 - (1145) ADDRESS FROM ENHANCEMENTS
 - (10480) EASTMENT DIMENSION
 - (M8) NON-RADIAL BEARING
 - SWSD SECURITY WATER & SANITATION DISTRICT
 - EXISTING EASEMENT
 - - - PROPOSED EASEMENT
 - - - EXISTING ROW



OWNER/DEVELOPER
 ADDRESS: HONORED IF UNITED PARTNERSHIP, LLP
 PHONE: _____

ENGINEER/SURVEYOR
 DAKOTA SPRINGS ENGINEERING
 31 N. TERRY AVENUE, SUITE 500
 DAKOTA SPRINGS, CO 80503
 PHONE: (719) 427-7388
 FAX: (719) 427-7388

DATE OF PREPARATION
 JULY 2015



DSE Dakota Springs
 Engineering
 31 N. TERRY AVENUE, SUITE 500
 DAKOTA SPRINGS, CO 80503
 PHONE: (719) 427-7388
 DATE: 4/19/2017
 SHEET 2 OF 2

FINAL PLAT (RECOMMEND APPROVAL)

Commissioner Creely moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF-16-017

WHEREAS, Ros Equity Holdings-Independence did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Springs at Waterview 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 2, 2018; 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 Springs at Waterview 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. 16-454), 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 4) and urban park (Area 4) fees shall be paid at time of plat recordation.
11. Fees in lieu of school land dedication shall be paid to El Paso County for the benefit of Widefield School District No. 3 at time of plat recording.
12. The applicant shall make a fair share contribution in the amount of \$1,631.97 towards escrow for a traffic signal at the intersection of Grinnell and Goldfield.
13. Drainage fees in the amount of \$124,791 and bridge fees in the amount of \$1,871 for the Windmill Gulch (FOFO3000) drainage basin shall be paid to El Paso County at the time of plat recordation.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

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 Egbert	aye
Commissioner Risley	aye
Commissioner Creely	aye
Commissioner Lucia-Treese	aye
Commissioner Blea-Nunez	aye
Commissioner Wood	aye
Commissioner Aurich	aye
Commissioner Bailey	aye

The Resolution was adopted by a vote of 8 to 0 by the El Paso County Planning Commission, State of Colorado.

DATED: October 2, 2018

EXHIBIT A

PARCEL A, WATERVIEW PUMP STATION SUBDIVISION EXEMPTION AN EXEMPTION
PLAT OF TRACT D OF PAINTED SKY AT WATERVIEW FILING NO. 1, RECORDED JUNE
22, 2015 UNDER RECEPTION NO. 215713634, COUNTY OF EL PASO, STATE OF
COLORADO

RESOLUTION NO. 18-

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

APPROVE FINAL PLAT FOR SPRINGS AT WATERVIEW (SF-16-017)

WHEREAS, Ros Equity Holdings-Independence did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Springs at Waterview 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 October 2, 2018, 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 October 23, 2018; 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 Springs at Waterview Subdivision;

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

CONDITIONS

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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.
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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.

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NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

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

DONE THIS 23rd day of ,October 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
President

By: _____
County Clerk & Recorder

EXHIBIT A

PARCEL A, WATERVIEW PUMP STATION SUBDIVISION EXEMPTION AN
EXEMPTION PLAT OF TRACT D OF PAINTED SKY AT WATERVIEW FILING
NO. 1, RECORDED JUNE 22, 2015 UNDER RECEPTION NO. 215713634,
COUNTY OF EL PASO, STATE OF COLORADO