

BOCC

Chuck Broerman  
10/12/2017 02:39:27 PM  
Doc \$0.00  
Rec \$0.00

7  
Pages

El Paso County, CO



217123609

RESOLUTION NO. 17-279

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

APPROVE FINAL PLAT FOR HANNAH RIDGE AT FEATHERGRASS FILING  
NO. 2 (SF-17-012)

WHEREAS, Feathergrass Investments, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Hannah Ridge at Feathergrass filing No. 3 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 3, 2017, 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 10, 2017; 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 Hannah Ridge at Feathergrass Filing No. 3 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. 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 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 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. 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. Developer has opted to be included in the Public Improvement District (PID) #2 at 10 mils. Additionally, it is subject to the 2009 Intergovernmental Agreement between the Constitution Height's Metropolitan District and the County, Resolution Number 09-342. A fee of \$923.00 per unit (lot) shall be due at time of building permit application. The final plat shall not be recorded until the plat has been reviewed and approved by the El Paso County Assessor.
11. Park fees in lieu of land dedication for regional parks (Area 2) and urban park (Area 3) fees shall be paid at time of plat recordation.
12. Fees in lieu of school land dedication shall be paid to El Paso County for the benefit of Falcon School District No. 49 at time of plat recording.

13. The developer shall participate in a fair and equitable manner in the design and future construction of traffic signalization improvements at Constitution Avenue and Hannah Ridge Drive. The fair share attributed to Hannah Ridge at Feathergrass Filing No. 3, as identified in the applicant's traffic study, is escrow to be deposited in the amount of \$8,513.00. Documentation that this amount has been deposited in the existing escrow account for the signal improvements shall be provided prior to recording the final plat.
14. Drainage and bridge fees, for the Sand Creek Basin, in the amounts of \$68,953.89 and \$20,889.59, respectively, shall be paid at the time of final plat recording. If credits are established prior to recordation of the final plat, the credits may be used towards the drainage fees due upon final plat recordation.
15. Developer shall provide evidence of vacation/extinguishment of the portions of the utility easements recorded at Book 6916, Page 68 and Book 3896, Page 66 within this subdivision prior to preliminary acceptance of the roads within this subdivision by El Paso County.
16. Offsite sidewalk/trail improvements within the Rock Island Trail corridor shall be completed by the developer with the construction of the subdivision improvements in order to connect the sidewalk along Hunter Juniper Drive to the existing sidewalk along the north side of Constitution Avenue adjacent to the James Irwin Charter Academy School as agreed to by the developer and the successor (builder).

**NOTATION**

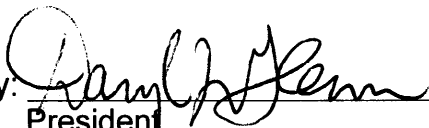
1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

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

DONE THIS 10<sup>th</sup> day of October, 2017, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

By:   
President

By Chailan B  
County Clerk & Recorder

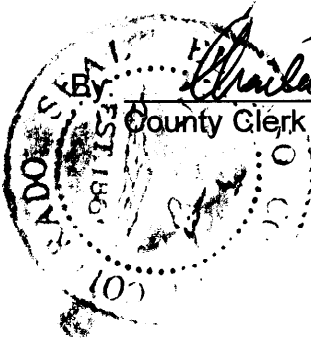


EXHIBIT A

LAND DESCRIPTION - HANNAH RIDGE at FEATHERGRASS FILING NO. 3 TRACT FF, HANNAH RIDGE AT FEATHERGRASS FILING NO. 1, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE FOLLOWING COURSES AND DISTANCES ARE ALONG THE EAST, SOUTH, WEST AND NORTH LINES OF SAID TRACT FF, HANNAH RIDGE AT FEATHERGRASS FILING NO. 1.

BEGINNING AT A POINT ON THE SOUTH LINE OF HUNTER JUMPER DRIVE AS PLATTED IN SAID HANNAH RIDGE AT FEATHERGRASS FILING NO. 1;  
THENCE N89°39'18"W, A DISTANCE OF 640.46 FEET;  
THENCE N00°20'42"E, A DISTANCE OF 116.07 FEET;  
THENCE N09°45'59"E, A DISTANCE OF 273.00 FEET TO A POINT OF CURVE TO THE RIGHT;  
THENCE 296.10 FEET ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1300.08 FEET, A CENTRAL ANGLE OF 13°02'58" WHOSE LONG CHORD BEARS N16°17'28"E, A DISTANCE OF 295.46 FEET TO A POINT TANGENT;  
THENCE N24°07'41"E, A DISTANCE OF 60.00 FEET;  
THENCE S65°51'43"E, A DISTANCE OF 164.88 FEET TO A POINT OF CURVE TO THE LEFT;  
THENCE 342.00 FEET ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 52°57'38" WHOSE LONG CHORD BEARS N87°39'28"E, A DISTANCE OF 329.96 FEET TO A POINT TANGENT;  
THENCE N61°10'38"E, A DISTANCE OF 21.98 FEET;  
THENCE S28°49'21"E, A DISTANCE OF 60.00 FEET;  
THENCE S61°10'39"W, A DISTANCE OF 21.94 FEET TO A POINT OF CURVE TO THE RIGHT;  
THENCE 69.50 FEET ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 430.00 FEET, A CENTRAL ANGLE OF 09°15'40" WHOSE LONG CHORD BEARS S65°48'12"W, A DISTANCE OF 69.43 FEET ;  
THENCE S24°54'14"E, A DISTANCE OF 9.03 FEET TO A POINT OF CURVE TO THE RIGHT;  
THENCE 48.41 FEET ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF 34°40'12" WHOSE LONG CHORD BEARS S07°34'07"E, A DISTANCE OF 47.67 FEET TO A POINT TANGENT ;  
THENCE S09°45'59"W, A DISTANCE OF 280.37 FEET;  
THENCE S00°20'42"W, A DISTANCE OF 200.15 FEET;  
THENCE S89°39'18"E, A DISTANCE OF 79.31 FEET;  
THENCE S00°20'42"W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;

SAID TRACT FF CONTAINS 8.313 ACRES MORE OR LESS.