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PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Ryan Howser, AICP, Senior Planner
Bret Dilts, PE, Senior Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Number: VR2324
Project Name: Ponderosa Pine Estates
Parcel Numbers: 7109002018 and 7109002019

OWNER:	REPRESENTATIVE:
Clifford A Joyner 1270 Fawnwood Road Monument, CO, 80132	Oliver E. Watts Consulting Engineer, Inc. 614 Elkton Drive Colorado Springs, CO 80907

Commissioner District: 3

Planning Commission Hearing Date:	9/5/2024
Board of County Commissioners Hearing Date:	9/26/2024

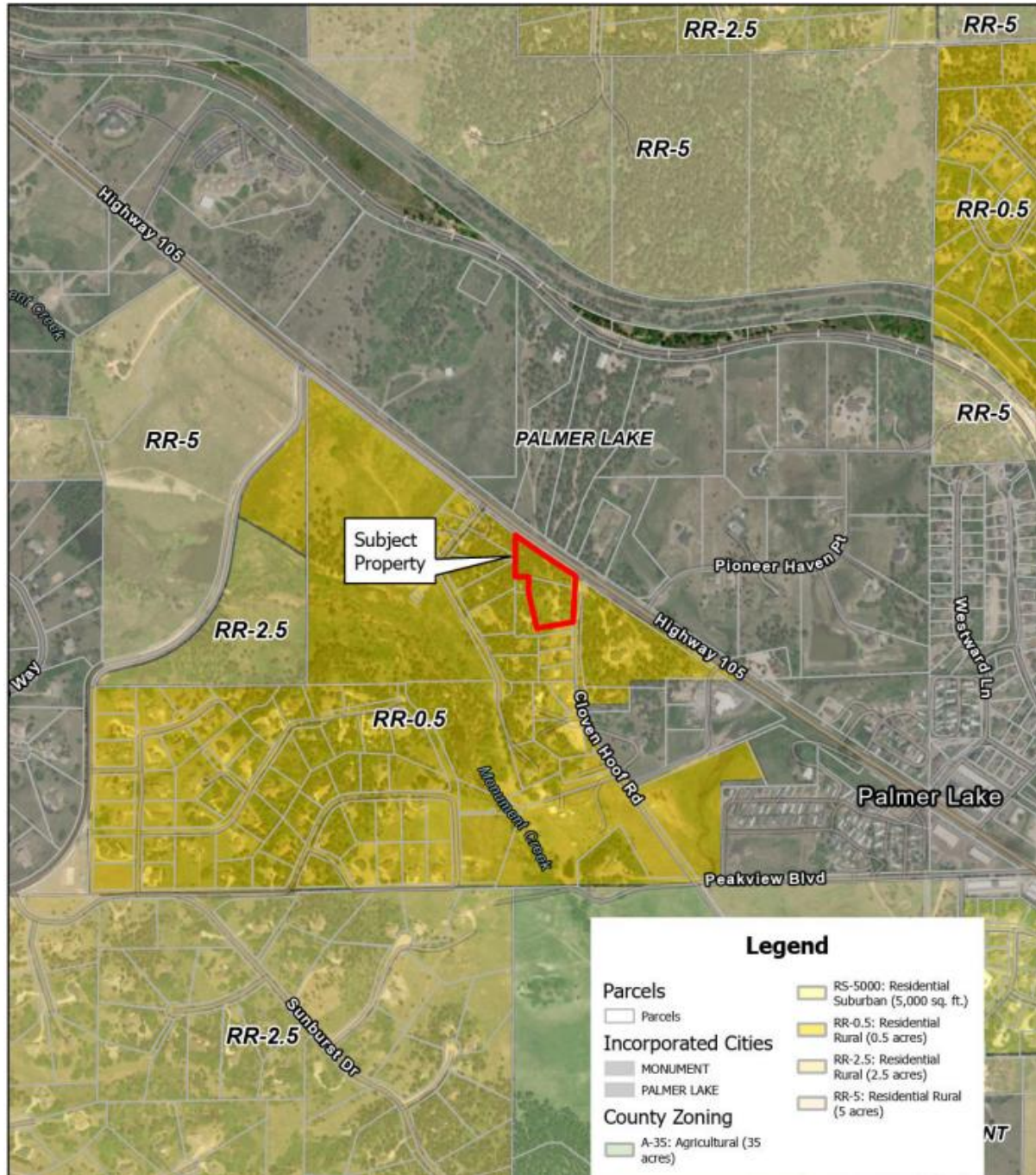
EXECUTIVE SUMMARY

A request by Clifford A Joyner for approval of a 3.07-acre Vacation and Replat creating 4 single-family residential lots from 2 single-family residential lots, resulting in a net increase of 2 single-family residential lots. The property is zoned RR-0.5 (Residential Rural), and is located at 18810 Cloven Hoof Drive, Palmer Lake, CO, 80133.

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Zoning Map

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A. AUTHORIZATION TO SIGN: Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

Section 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (as amended) states that a replat, “involves two actions, the vacation of the portion of the subdivision plat where the change is proposed...and approval of a new subdivision plat.” The Code goes on to define a replat as providing a replat of a subdivision or lots in a subdivision, in which the original subdivision is substantially modified or additional lots are created. In approving a replat, the following findings shall be made:

- *The replat complies with this Code, and the original conditions of approval associated with the recorded plat;*
- *No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;*
- *The replat is in keeping with the purpose and intent of this Code;*
- *The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;*
- *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;*
- *The approval will not adversely affect the public health, safety, and welfare; and*
- *Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved.*

C. BACKGROUND

The property was originally platted as Lots 1 and 2 of the Morgan Subdivision No. 1 on March 13th, 1975 (Plat No. 4446). The current proposal for a Vacation and Replat would result in a net increase of 2 lots for a total of 4 single-family residential lots.

D. ANALYSIS

1. Land Development Code Analysis

The application meets the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the Land Development Code (as amended). Please see the below sections of this report for an analysis of the requirements of the Land Development Code.

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2. Zoning Analysis

The lots, as proposed, will conform to the standards of the RR-0.5 (Residential Rural) zoning district. The RR-0.5 zoning district density and dimensional standards are as follows:

- *Minimum lot size: 21,780 square feet*
- *Minimum width at the front setback line: 100 feet*
- *Minimum setback requirement: front 25 feet, rear 25 feet (5 feet for accessory structures), side 10 feet*
- *Maximum height: 30 feet*

The proposed lots will meet the density and dimensional standards of the RR-0.5 zoning district. In order to initiate any new residential uses on the property, the applicant will need to obtain Site Plan approval. The Site Plan will be required to comply with the Dimensional Standards included in Chapter 5 as well as the Development Standards of Chapter 6 of the Code.

E. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. **Placetype Character:** Suburban Residential

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.



Recommended Land Uses:

Primary

- *Single-family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

Supporting

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

b. Area of Change Designation: Minimal Change: Developed

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of an denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

c. Key Area Influences: Tri-Lakes Area

Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Wood-moor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and

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services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

d. Other Implications (Priority Development, Housing, etc.)

The property is located within the Highway 105 & Interstate 25 Suburban Residential Priority Development Area.

The area is located between Monument, Woodmoor, and Palmer Lake. Due to its proximity to these communities, this area has largely developed to match that community's style of suburban residential and should continue to do so without impediment. It would also be supported by commercial and public services, both of which are important factors when considering denser development. Furthermore, increased density at the northern end of the County would help support residents who commute north for work every day.

- ***New and infill development should be encouraged within the significant area of available vacant or underutilized agricultural, land across Interstate 25 to continue the expansion of existing Suburban Residential areas.***
- ***Single-family attached and detached housing units should be developed in a cohesive manner that establishes a seamless transition between different housing types, as opposed to large, isolated clusters or blocks of a single type of housing. Maintaining this mixed development pattern should be prioritized by the County to preserve the existing residential character of this area.***

e. Analysis

The proposed lot sizes are greater than the minimum recommended lot sizes in the Suburban Residential Placetype and are consistent with the RR-0.5 zoning district. Due to the similarity in lot sizes to the surrounding developed area, the proposal can be considered similar in character to those existing surrounding developments and other existing subdivisions in the Tri-Lakes Area. The proposed development is consistent with the development pattern within the Highway 105 & Interstate 25 Suburban Residential Priority Development Area. Relevant goals and policies from the Master Plan are as follows:



Objective LU3-1 – Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

Objective LU3-3 – The Suburban Residential placetype should be characterized by predominantly residential areas with mostly single-family detached housing.

Goal LU3 Specific Strategy – Future development in the Tri-Lakes Area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

Goal LU3 Specific Strategy – The Minimal Change: Developed areas are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained.

Objective HC1-5 – Focus detached housing development in Large-Lot Residential and Suburban Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities.

Objective HC2-6 – Continue to carefully analyze each development proposal for their location, compatibility with the natural environment, and cohesion with the existing character.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

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Policy 1.1.1 – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency, and conservation.

Goal 1.2 – Integrate water and land use planning.

Goal 4.3 – Collaborate with the State and other stakeholders to extend the economic life of the Denver Basin aquifers.

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 2 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 2 for central water providers:

The Plan identifies the current demand for Region 2 to be 7,532 acre-feet per year (AFY) (Figure 5.1) with a current supply of 13,607 AFY (Figure 5.2). The projected demand in 2040 for Region 2 is at 11,713 AFY (Figure 5.1) with a projected supply of 20,516 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 2 is at 13,254 AFY (Figure 5.1) with a projected supply of 20,756 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 7,502 AFY is anticipated for Region 2.

See the Water section below for a summary of the water findings and recommendations.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. Colorado Parks and Wildlife and El Paso County Community Services, Environmental Division were each sent a referral and have no outstanding comments. This area is primarily developed and it is not anticipated that the addition of 2 additional lots will significantly impact the wildlife in the area.

The Master Plan for Mineral Extraction (1996) identifies coal 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.

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F. PHYSICAL SITE CHARACTERISTICS

1. Hazards

Portions of the property are encumbered by steep slopes. Expansive soils were identified on the property; however, no geologic hazards were discovered during the review of the Vacation and Replat that would preclude development of the site. The Colorado Geological Survey was sent a referral and does not have any outstanding comments or concerns.

2. Floodplain

This site is not located within a defined floodplain as determined by the Federal Emergency Management Agency (FEMA) Flood Rate Insurance Map (FIRM) number 08041C0257G, effective December 7, 2018.

3. Drainage and Erosion

This site lies in the Palmer Lake Drainage Basin (FOMO5400). Drainage fees will be assessed with this application based on additional impervious area being added. There are no bridge fees associated with this drainage basin. Due to the elevated condition of the site, there is no drainage runoff entering the subdivision area. Runoff generated from the site generally flows from northwest to southeast, eventually entering Monument Creek. Drainage fees in the amount of \$4,350.69 shall be paid to the Palmer Lake drainage basin at the time of plat recordation. There are no bridge fees associated with this drainage basin.

4. Transportation

A traffic study was not required as the proposed Vacation and Replat is not expected to generate 100 or more daily vehicle trips. Access is proposed via Cloven Hoof Drive which is owned and maintained by the County. Offsite improvements are not required. Lots 1 and 2 shall take access from a shared driveway via the flagpole and private access easement shown on Lot 1. Lots 3 and 4 shall take access from the existing private driveway that ties into the existing easement as shown on the plat. Cost and maintenance of the private accesses shall be the sole responsibility of the respective lot owners.

The Road Impact Fee as approved by Resolution 19-471 will be assessed at the last land-use approval.

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G. SERVICES

1. Water

The Forest View Acres Water District has provided a commitment to provide water service to the proposed Vacation and Replat. Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

Sanitation is provided by the Forest View Acres Water District; the District has provided a commitment to provide wastewater services to the property.

3. Emergency Services

The property is within the Tri-Lakes Monument Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has provided a comment requesting an exhibit illustrating the driveway locations, but has no additional outstanding comments. The applicant has provided a Fire Protection Report and a Wildfire Hazard Mitigation Report that meet the requirements for fire protection pursuant to Chapter 6 of the Land Development Code.

4. Utilities

Mountain View Electrical Association (MVEA) currently provides electrical services to properties in the Meridian Ranch development. Black Hills Energy provides natural gas service to properties in Meridian Ranch. MVEA and Black Hills Energy were each sent referrals; MVEA has no outstanding comments and Black Hills Energy did not respond.

5. Metropolitan Districts

The property is not located within the boundaries of a metropolitan district.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$2,020.00 for regional fees (Area 1) and \$1,212.00 for urban park fees (Area 1) will be due at the time of plat recordation.

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7. Schools

Fees in lieu of school land dedication in the amount of \$1,232.00 for the Lewis Palmer School District No. 38 will be due at the time of plat recordation.

H. APPLICABLE RESOLUTIONS

See attached resolution.

I. STATUS OF MAJOR ISSUES

There are no major issues.

J. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notations:

CONDITIONS

1. 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.
2. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 8/15/2024, as provided by the County Attorney's Office.

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. Applicant shall be required to pay all applicable park, school, drainage, and bridge fees upon plat recordation.

K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 30 adjoining property owners on August 23, 2024, for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

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L. ATTACHMENTS

Map Series

Letter of Intent

Plat Drawing

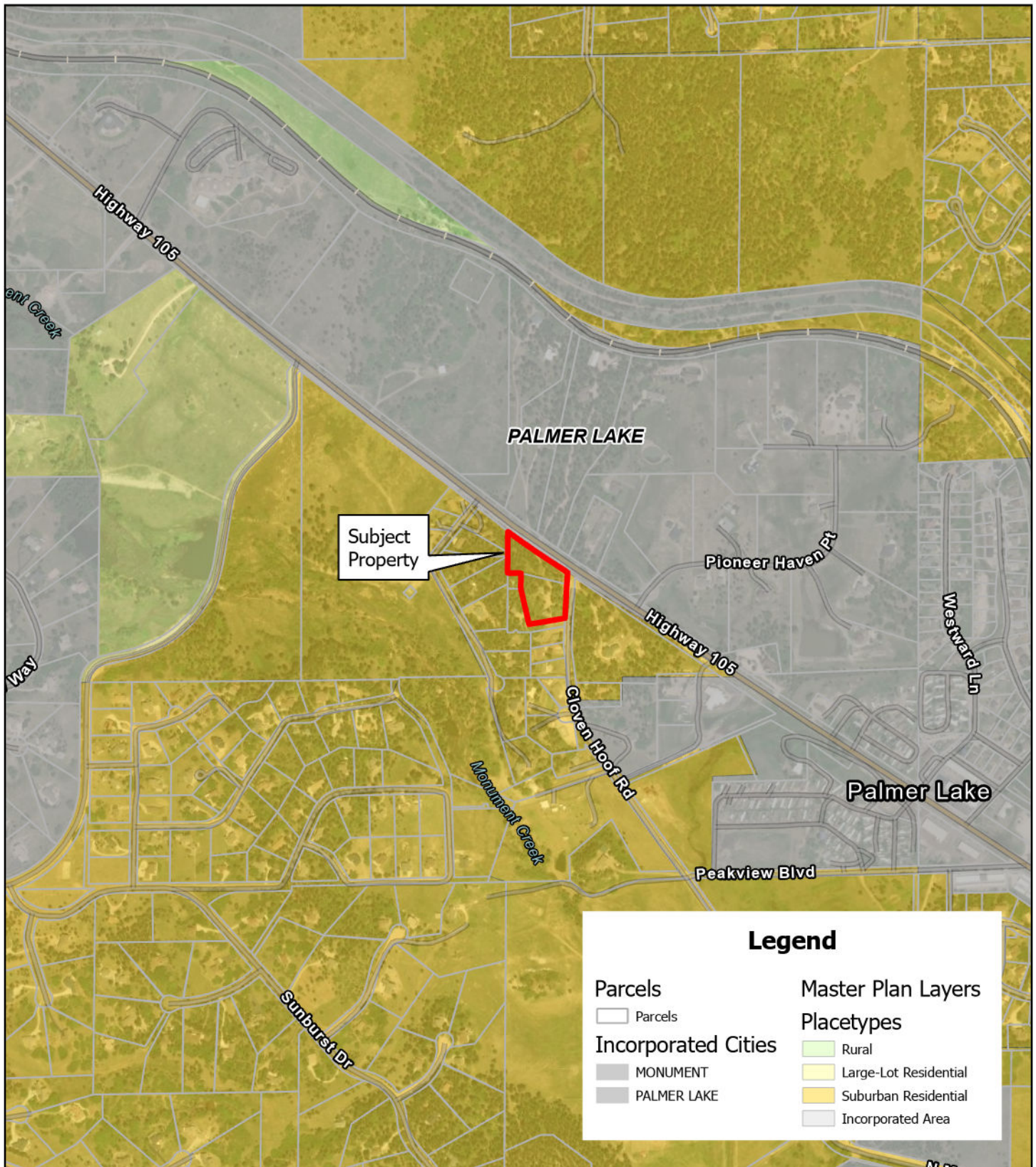
County Attorney's Letter

Draft Resolution

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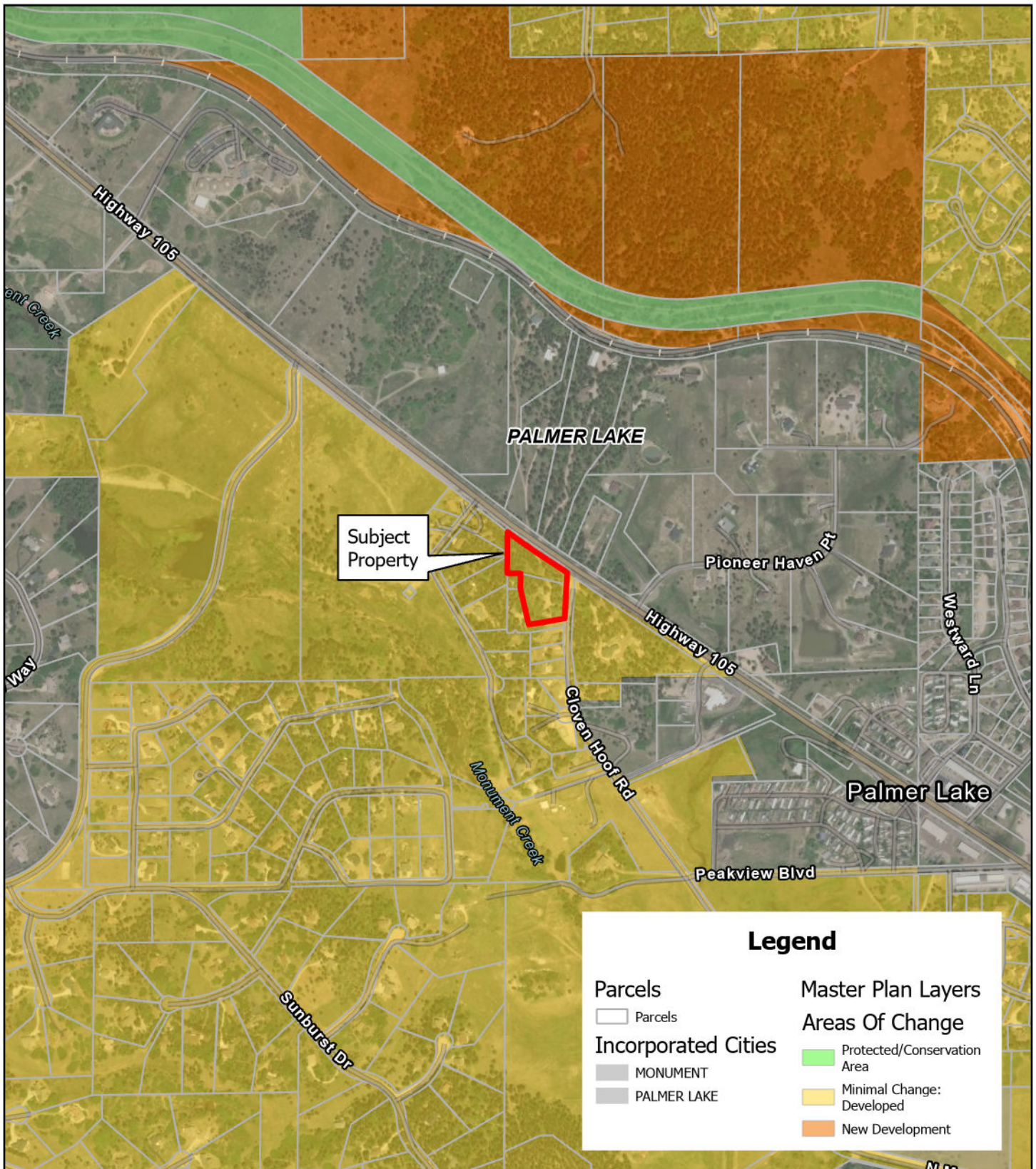
Placetype Map

File No. VR2324

Map Series No. 1



0 0 0.1 0.2 Miles



Area of Change Map

File No. VR2324

Map Series No. 2



0 0 0.1 0.2 Miles

Clifford Joyner
Joyner Construction Company, INC.
1270 Fawnwood Rd
Monument, CO 80132
(719) 481-6169-0173
CELL (719) 491-6411
joynercon@msn.com

February 1, 2024

El Paso County Development Services
2880 International Circle
Suite 110
Colorado Springs, CO 80910

SUBJECT: PONDEROSA PINE ESTATES. A SUBDIVISION OF LOTS 1 AND 2, MORGAN
SUBDIVISION NO. 1 SECTION 9, T.11S., R.67W. OF THE 6TH P.M. EL PASO COUNTY, COLORADO

Owner information:
Clifford A. Joyner
1270 Fawnwood Rd.
Monument, Co. 80132
(719) 290-7665
joynercon@msn.com

Assessor's Parcel No.'s: 7109002019 and 7109002018

Existing zone: RR-0.5

Placetype:
Suburban Residential

Land Uses:
The site will be used for residential purposes

History:
Assessor's parcel number 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.)
Currently has two homes on one parcel.

Assessor's parcel number 7109002018 Currently is one large building lot with no home on it.

Request and Justification:
Parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.): Our intent is to
subdivide this existing property into two single family lots. The proposed subdivision is
compatible with the surrounding properties. This is one lot with two single family homes
built on it. The subdivision will allow two homes to be sold individually as a substantially
lower cost. Each lot will contain over 31000 sf. The required square footage in zoning RR-
0.5 is 21780 sf.

The current road access for both houses is an active driveway that has serviced lot 1 and 2 since the 1940es. This subdivision abandons the active driveway accessing RT. 105. And installs a driveway to Cloven Hoof Rd.

Assessor's Parcel No.: 7109002018 Justification: This lot contains 60984 sf. The required square footage in zoning RR-0.5 is 21780 sf. This subdivision will allow the best use of the land with sizes of each lot well in excess of minimum size requirements.

There is an additional 463' of frontage on RT. 105. There is also an active driveway that has serviced lot 1 and 2 since the 1940es. This subdivision/administrative relief removes frontage requirements from Rt 105 and abandons the active driveway accessing RT. 105.

Water and Sewer:

Water is currently supplied to parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.) by Forest View Acres Water District. There will be no change to water each house

Water to the, proposed, two lots on parcel 710900201 will be supplied by Forest View Acres Water District.

Sewer is currently supplied to parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.) by Palmer Lake Sanitation District. There will be no change to the sewer service for each home.

Sewer to the, proposed, two lots on parcel 710900201 will be supplied by Palmer Lake Sanitation District.

Electric:

Electric is currently supplied to parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.) by Core Electric Cooperative. There will be no change to electric for each house

Electric to the, proposed, two lots on parcel 710900201 will be supplied by Core Electric Cooperative.

Traffic Generation:

Traffic generated from parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.) will be unchanged

Traffic generated from the, proposed, two lots on parcel 710900201 will be 18.88 trips per day based on 9.44 trips per unit for Single Family Detached Housing (according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers). This number of trips is below the County threshold of 100 trips per day or 10 trips during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 19- 471. Traffic Impact Fees will be paid at time of building permit.

FEMA Floodplain:

Per FEMA Panel 08041CO780G, this site is not within the limits of a 100yr floodplain.

Request of Subdivision Applicability per LDC Chapters 7&8:

Parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.). This proposed subdivision will be dividing the current 1 lot with two homes on it into 2 single family lots compatible with zoning RR-5. The homes will be sold on the open market

two lots on parcel 710900201. This proposed subdivision will be dividing the current 1 lot into 2 single family lots compatible with zoning RR-5. New homes will be built and the homes will be sold on the open market

▪ CH 7:

- A Preliminary plan is not required as this is a “minor subdivision”.
- The subdivision is consistent with all design standards and regulations.
- Parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co.). The existing two homes will use the existing sewer, water, gas and electric after subdivision.
- Parcel 710900201 The existing lot will require new electric service from Core Electric, Water service from Forest View Acres Water District, and sewer from Palmer Lake Sanitation District
- Summary of geological hazards report:

SUMMARY OF CONCLUSIONS

1. We did not identify geotechnical or geologic constraints at this site we believe preclude construction of single-family residences. The primary geotechnical concern is the presence of sporadic lenses of expansive claystone bedrock. We believe these concerns can be mitigated with proper planning, engineering, design, and construction.

2. Strata encountered in our exploratory borings consisted of 4 to 5 feet of silty, clayey sand soils underlain by predominantly sandstone bed- rock with localized layers of claystone bedrock to the maximum depths explored of 30 feet. Testing and our experience indicate the near-sur- face soils and sandstone are generally non-expansive to low swelling. Claystone layers are intermittently present within the bedrock and may exhibit variable swell potential.

3. Groundwater was not encountered during drilling and the borings were found to be dry 17 days after exploration was completed. Groundwater elevations can be altered by development and will vary with seasonal precipitation and landscaping irrigation.

4. The presence of expansive soils and bedrock on the site constitutes a geologic hazard. There is risk that these materials may heave and damage slabs-on-grade and foundations. We believe the risk of dam- age can be mitigated through typical engineering practices employed in the region. Slabs-on-grade and, in some instances, foundations, may be damaged. Where claystone is encountered within foundation excavations, sub-excavation may be appropriate.

5. We believe spread footings designed and constructed to apply a mini- mum deadload will be appropriate if underlain by natural sand, sand- stone bedrock, or new, moisture conditioned and densely compacted fill. Claystone bedrock was encountered in one boring at a depth of 12 feet. The presence of claystone should be evaluated by excavation of test pits at the time of the excavation observation for each of the structures.

6. Control of surface drainage will be critical to the performance of foundations and slabs-on-grade. Overall surface drainage should be de- signed to provide rapid removal of surface runoff away from the pro- posed residences. Conservative irrigation practices should be followed to avoid excessive wetting.

The site already falls under the jurisdiction of EPSO and is within the **MONUMENT FIRE DISTRICT**

- The site complies with methods of fire protection as outlined in Chapter 6. A Letter will be included to show evidence of this.
 - There will be no offsite impacts as a result of this subdivision.
 - There are no required public facilities for this subdivision.
- CH 8:
- The land is suitable for development as there are several residences on Cloven Hoof Rd. There are no physical constraints that would deem this unsuitable for development. CTL/Thompson geohazard report (that accompanies this submittal) does list a couple of items; see above. The report lists mitigations for both of these.
 - The land is safe for the intended purposes of single family housing. There are no major geological hazards that affect this site.
 - There are slopes over 30% on the proposed lots and these have been listed as no build areas on the proposed subdivision plan. There are no other extreme geological hazards affecting this site.
 - Regarding roads and access; a shared driveway will be installed to service parcel 7109002019 (18810 and 18820 Cloven Hoof Dr., Palmer Lake, Co. A shared driveway will be installed to service two lots on parcel 710900201 There are no major plans to alter the landscape of the new lots with the exceptions of installing the private driveway and the residences themselves.
 - As far as we are aware, there are no structures or other areas located on the site that would qualify as archeological or historical.
 - As far as we are aware, there are no plans for differing land use on these lots.
 - As far as we are aware, these lots are not in the way of any major airways or airports and thus should not affect them.
 - As far as we are aware, there are no endangered species affected by these proposed changes.
 - As stated previously, this site is not within the limits of a 100yr floodplain per FEMA Panel 08041CO780G.
 - The current lot and proposed lots do not sit alongside any major highway (Rt 105 is on one side), thus do not need to worry about noise mitigation.
 - The current and proposed lots are not situated anywhere near a railroad.
 - This site is not located near enough to any major military outpost or installation and thus does not fall under any constraints detailed in LDC chapter 8.

The area does not fall within or near any area designated for park use, trails, or any other park related activity.

Pg 143 of the El Paso County Master Plan:

- *Is the proposed use located within a Key Area? If so, how will the proposed use affect the unique identity or character of the Key Area?*
 - The Site is located within the Tri-Lakes Key Area. As this development is for residential housing, it is in keeping with the current use of the area.

- *Does the proposed use promote the level of change identified in the Areas of Change map?*
 - According to the Areas of Change Map, the site falls within the Minimal Change: Developed area. Per page 21 of the El Paso County Master Plan, this site would be classified as “Minimal Change: Developed”. The area falls within a natural but developed area. The proposed subdivision would only build adjacent or near to the existing structure. This would maintain the rural nature of the site while allowing for development of an as of yet, undeveloped portion of the site.
- *Does the use fall within the primary or supporting land uses within the identified Placetype? Is the proposed use consistent with the character and objectives of the Placetype?*
 - According to the chart on page 23, the site, both proposed and existing fall within the primary land use for a suburban residential place type. The proposed use is consistent with the character and objectives of the suburban residential placetype because the proposed use is residential housing. Each lot of the subdivision will be between 0.5 and 2.5 Acres which is in keeping with suburban residential placetype.
- *Is the use located within a Priority Annexation Area? If so, how does the nearby municipality plan for or otherwise address the subject property and does the proposed use align with the municipality’s plan(s)?*
 - The site is in the Monument area; therefore, it is not within a Priority Annexation area.
- *Is the use located within a Housing Priority Development Area? If so, is the proposed use one of the identified housing types for the area?*
 - The use is located within a Suburban Residential Priority Development Area.
- *Is the use located within a Commercial Priority Development Area? If so, is the proposed use one of the identified commercial uses for the area?*
 - The use is not located within a Commercial Priority Development Area.
- *Is the use located within an Employment Priority Development Area? If so, is the proposed use one of the identified employment-focused uses for the area?*
 - The use is not located within an Employment Priority Development Area.
- *Is there existing infrastructure to which the proposed development can connect? If so, is connection proposed and how will it be accomplished? If not, is there a plan for future extension of infrastructure to the property?*
 - A proposed private drive is to be put in place for the proposed lots to connect to the existing public road. Commitment letters for Gas and Electricity have been submitted to the County for the proposed lots. The proposed sites will be serviced by public sewer system and city water installed once they have been built.
- *Does the development trigger the need for pedestrian or multimodal connections and are such connections being proposed?*
 - No. The development does not trigger the need for pedestrian or multimodal connections.

- *Does the proposed use/development incorporate appropriate conservation design principles as identified in the Master Plan?*
 - The proposed use will allow for two additional houses to be built on the two new lots. There will be no major development requiring any form of conservation.
- *Will the proposed use/development further the County's objective of meeting the Vision, Principles, Goals, and Objectives of the Master Plan?*
 - Yes. Per the El Paso County Master Plan, this subdivision will fulfill the Land Use Goals 1.1 and 1.2, as well as Housing and Community Goals 2.2 and 2.3. It will achieve the Land Use Goals by being in keeping with the established uses for the area, specifically Suburban residential while also increasing development for the area. It will achieve the Housing and Community Goals by building two more single-family houses on an existing site while keeping with the rural aesthetic of the area
- *Does the proposed use/development support the Implementation Objectives and Specific Strategies of the Master Plan?*
 - Yes, it does. It provides affordable housing to family members of the existing land owners.

Constraint's/Hazards:

As far as we are aware, there are no special features to this site that would result in constraints or hazards preventing development of the proposed new 4 lots.

Proposed Improvements:

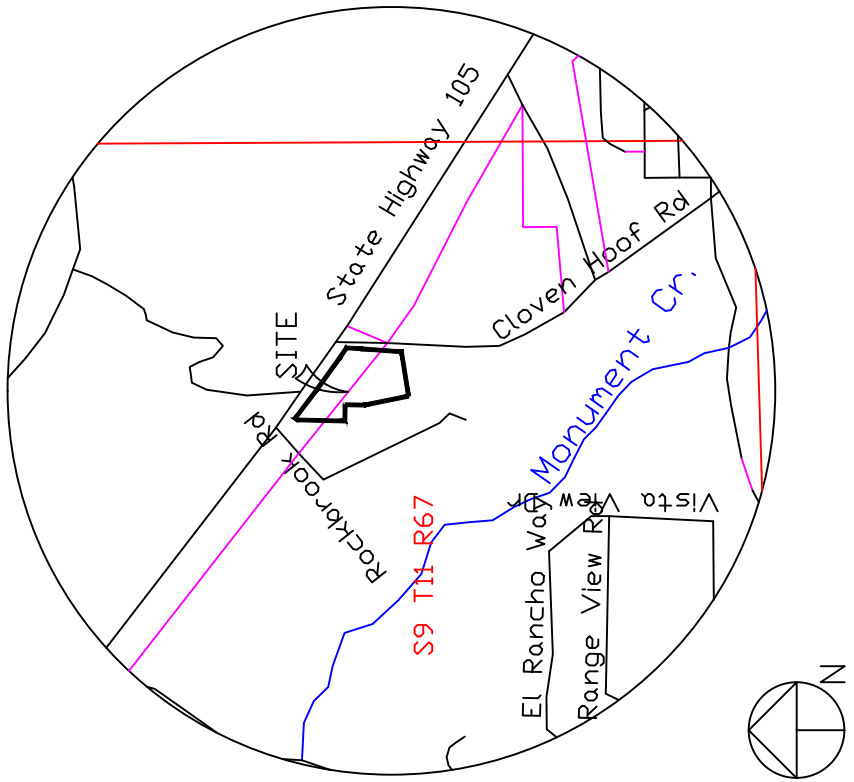
The overall goal of this subdivision is to split the existing two lot site into 4 lots. Two homes are currently built and will remain largely unchanged. Two new homes will be built. All homes will be sold on the open market. There are two proposed private driveway that will be built Cloven Hoof Rd. Maintenance and repair of this driveway and any new residences will be the responsibility of the owners.

We ask that El Paso County grant the subdivision request.

Please contact the owner with any questions, thank you

Clifford A. Joyner

PONDEROSA PINE ESTATES
A SUBDIVISION OF LOTS 1 AND 2, MORGAN SUBDIVISION NO. 1
SECTION 9, T.11S., R.67W. OF THE 6TH P.M.
EL PASO COUNTY, COLORADO



VICINITY MAP

1"=1000'

Know all men by these presents
That: Clifford A. Joyner being the owner of the following described tract of land, to wit:
Lots 1 and 2, Morgan Subdivision No. 1, County of El Paso, State of Colorado,
And containing 307 acres

Dwaps Certificate
The undersigned being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, and easements as shown hereon under the name and subdivision of Ponderosa Pine Estates. All public improvements so platted are hereby dedicated to public use and said owner does hereby covenant and agree that the public improvements will be constructed to El Paso County standards and that proper drainage and erosion control for same will be provided at said owner's expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado. Upon acceptance by resolution, all public improvements so dedicated will become matters of maintenance by El Paso County, Colorado. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon and the undersigned do hereby covenant and agree that the services of such utilities and communication systems are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

By: Clifford A. Joyner
Title: owner
1270 FAWNWOOD ROAD
MONUMENT, CO 80132

STATE OF COLORADO)
COUNTY OF EL PASO) SS

Acknowledged before me this ----- day of -----, 20__ by Clifford A. Joyner as owner.

My commission expires -----

Witness my hand and official seal -----
Notary Public

Mortgagee -----
By: Integrity Bank & Trust
Title: Deed of Trust holder

STATE OF COLORADO)
COUNTY OF EL PASO) SS

Acknowledged before me this ----- day of -----, 20__ by ----- as -----

My commission expires -----

Witness my hand and official seal -----
Notary Public

For: Replats requiring BotCC action:

This plat for Ponderosa Pine Estates was approved for filing by the El Paso County, Colorado Board of County Commissioners on the ----- day of -----, 202__, subject to any notes specified hereon and any conditions included in the resolution of approval. The Board of County Commissioners of El Paso County hereby certifies that the public improvements shown on this plat are in accordance with the requirements of the Land Development Code and Engineering Criteria Manual.

The Morgan Subdivision No. 1 in entirety is vacated and amended for the areas described by this replat subject to all covenants, conditions, and restrictions recorded against and appurtenant to the original plat recorded in the Office of the El Paso County Clerk and Recorder, Reception # 140957, 4-1-75.

Chair, Board of County Commissioners ----- Date -----

Planning and Community Development Director ----- Date -----

Surveyors Certificate

I, Oliver E. Watts, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on 7-24-23, by me or under my direct supervision and that all monuments existing shown herein are natural or natural or less than 100.00' and that said monuments are in place and correct and that all monuments shown herein are in place and correct and that said subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

I attest the above on this ----- day of -----, 202__.

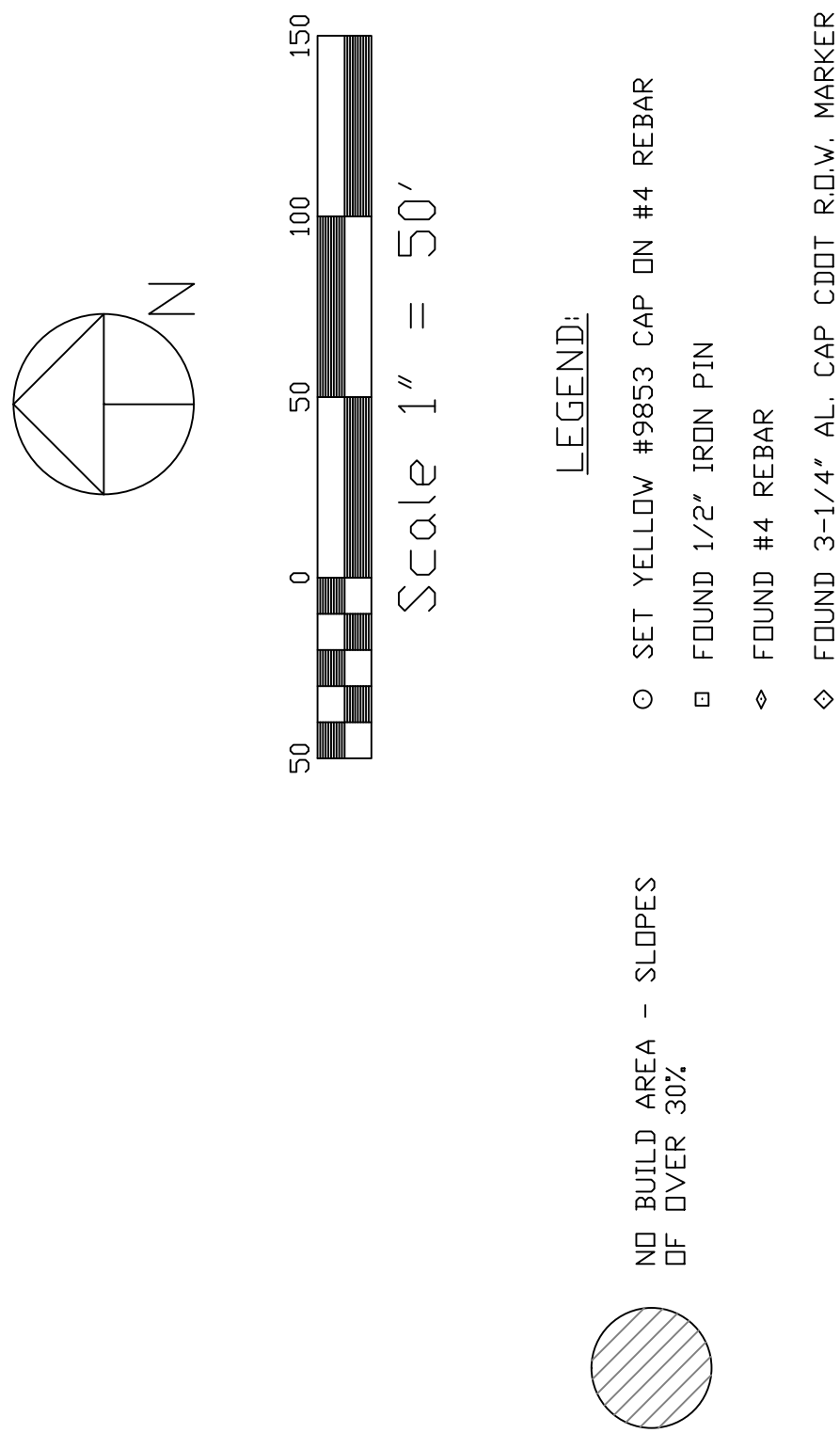
Oliver E. Watts, Colorado PE-LS No. 9853
For and On Behalf of Oliver E. Watts, Consulting Engineer, Inc.

Clerk and Recorder
State of Colorado
) SS
County of El Paso

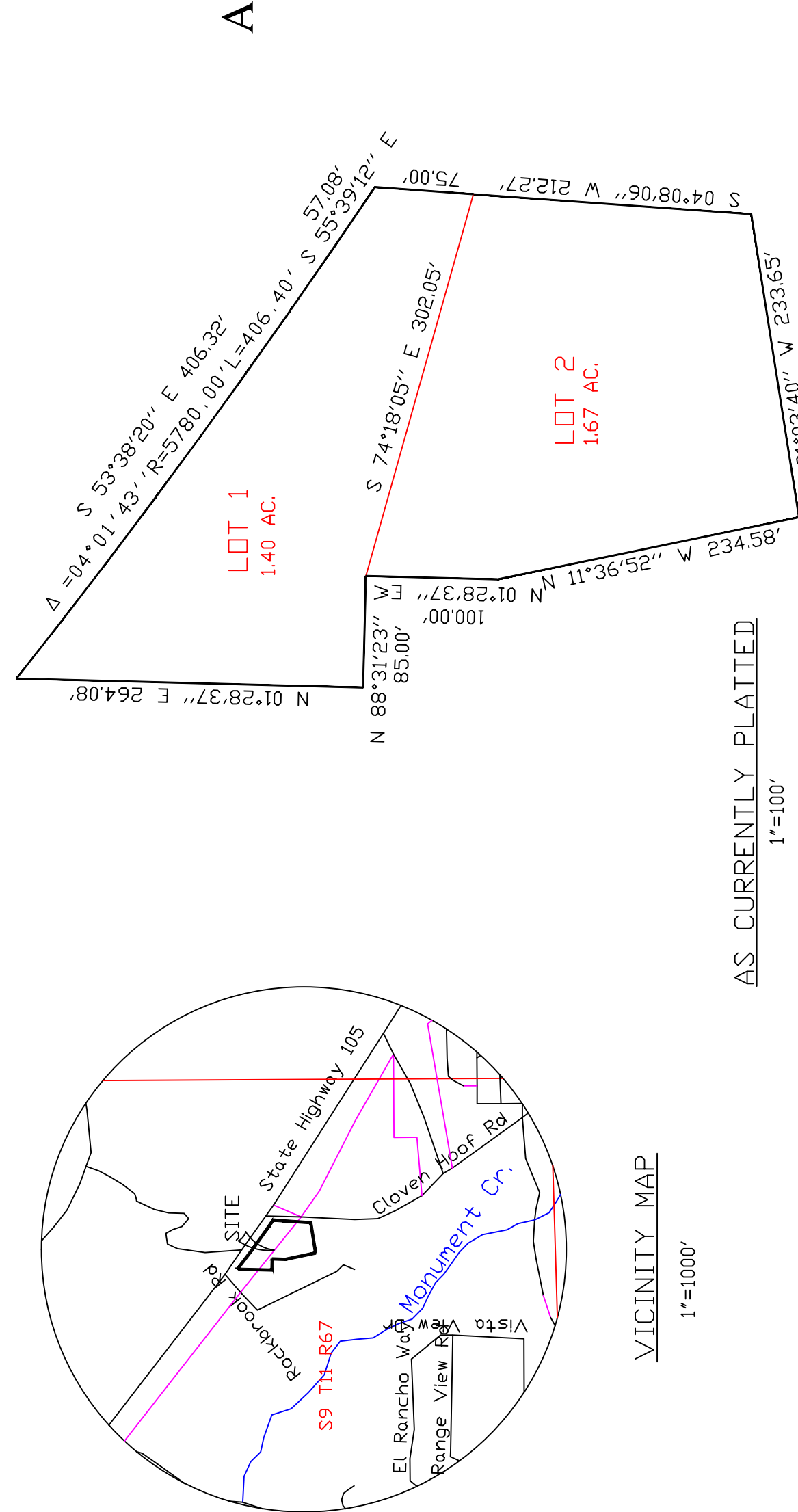
I hereby certify that this instrument was filed for record in my office at ----- o'clock --M. This day of -----, 20__, A.D., and is duly recorded under Reception Number ----- of the records of El Paso County, Colorado.
Steve Schelker, recorder

By: -----
Deputy ----- Surcharge -----
Fee -----
Drainage fee: ----- Bridge fee: -----
School fee: ----- Park fee: -----

PREPARED BY THE OFFICE OF:
OLIVER E. WATTS PE-LS
CONSULTING ENGINEER
1270 FAWNWOOD ROAD
MONUMENT, CO 80132
(719) 593-0173
oliewatts@aol.com
Celebrating over 45 years in business



PONDEROSA PINE ESTATES
A SUBDIVISION OF LOTS 1 AND 2, MORGAN SUBDIVISION NO. 1
SECTION 9, T.11S., R.67W. OF THE 6TH P.M.
EL PASO COUNTY, COLORADO



NOTES:

1. Bearings are based on the computed bearing of S32°17'19"E, for a line between the northwest corner of Lot 1, monumented by a ½" iron pipe at ground level, and the southeast corner of Lot 2, monumented by a bare # 4 rebar at ground level as shown on the plat.
2. Survey monuments found or set are at ground level unless otherwise noted on the plat.
3. Title Information was provided by the client as follows:
Title: Commercial Core Title Group LLC
File No: 285CQR
Effective date: November 27, 2023, at 7:30 am
This survey does not constitute a title search or opinion.
4. Notice: according to Colorado law, you must commence any legal action based upon any defect in the survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.
5. Flood Plain:
According to the current effective Federal Emergency Management Agency Flood Insurance Rate Map, the subject property is located outside the boundary of the 100 Year Floodplain, as identified on FEMA Mapping, Panel No. 080410257 dated December 7, 2018.
6. Units of measurement: US Survey Feet

7. The approval of the replat vacates a

7. The approval of the replat vacates all prior plats for the area described by this replat.

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8. Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from Cloven Hoof Drive per Land Development Code Section 633C.2. Prior to the establishment of any driveway onto a county road, an access permit must be granted by the El Paso County Planning and Community Development.

9. The following reports have been submitted in association with the Preliminary Plan or Final Plan for this subdivision and are on file at the County Planning and Community Development Department: Drainage Report; Water Resources Report; Geology and Soils Report; Fire Protection Report; Wildlife Hazard Report; Wastewater Report.

10. All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owner's unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.

11. Unless otherwise indicated, all side, front and rear lot lines are hereby platted on either side with a 10 foot public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a 20 foot public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.

12. The Subdivider(s) agree(s) on behalf of himself/herself and any developer or builder successor and assignees that Subdivider and/or said successor and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No 19-471), 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.

13. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other governmental requirements. A list of applicable agencies includes, but is 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 listed species (e.g., Preble's Meadow Jumping Mouse).

14. The addresses exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.

15. Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.

16. Soil and Geology Conditions:
Geologic Hazard Note-Final Plat:

[illegible]

17. All structural foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado.

18. Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2) misdemeanor pursuant to C.R.S. § 18-4-508

19. There shall be no direct lot access to State Highway 105.

20. Utility providers:

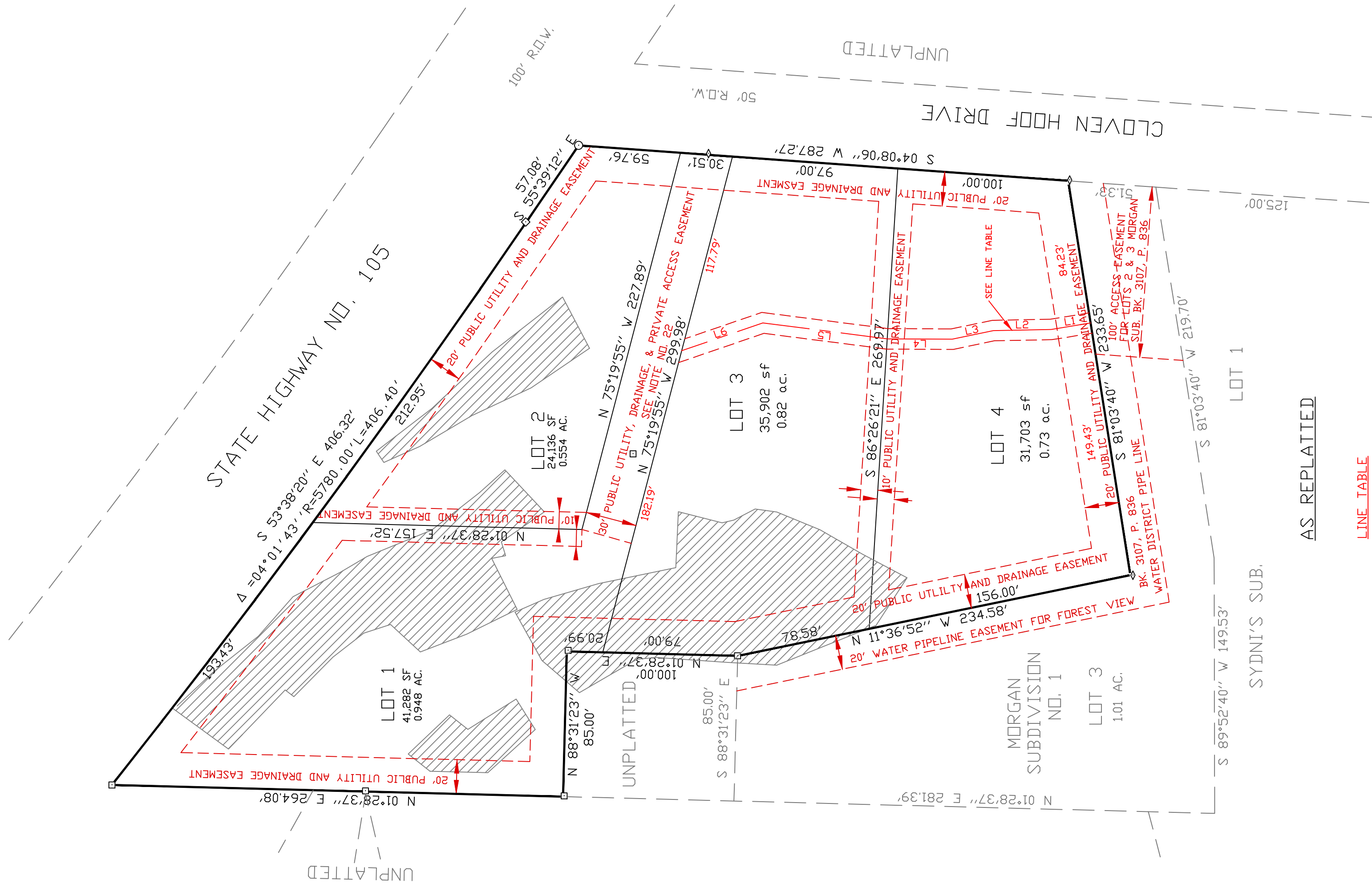
20. Utility providers:

Palmer Lake Sanitation District = sewer

CORE Electric Cooperative = electric

21. As a condition of approval of this plat by the Board of County Commissioners, no conveyance, sale or transfer of title of lots 1, 2, 3, and 4 identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by El Paso County, until such time as the following has been accomplished by Clifford A. Joyner as owner. A letter of compliance has been received from the Colorado State Forest Service, Fire Department, Fire Marshal, or other qualified professional stating practices designed to reduce wildfire hazards have been completed in accordance with the Wildland Fire and Hazard Mitigation Plan. Such work may include, but is not necessarily limited to the following:

Forrest-wild thinnings
Polebreak thinnings
Debris disposal (alternative-surety and surety estimate sufficient to accomplish the work may be required in place of a plot restriction)



AS REPLATTED

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 09°14'25" W	23.41'
L2	N 01°07'53" W	33.81'
L3	N 11°48'43" W	24.61'
L4	N 00°17'57" E	38.03'
L5	N 07°17'54" E	73.38'
L6	N 18°53'52" W	50.20'

222 Lots 1 and 2 shall take access via the flagpole stem and private access recorded on Lot 1, as shown on the plat. Shared cost and maintenance of the flagpole stem and private access for Lots 1 and 2 shall be the sole responsibility of the lot owners of Lots 1 and 2.

County Attorney

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

August 15, 2024

VR-23-24 Ponderosa Pine Estates

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Clifford Joyner ("Applicant"), to subdivide two adjoining parcels of approximately 3.07 acres into 4 lots (the "Property"). The property is zoned RR-0.5 (Residential Rural).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* ("WSIS"), the subdivision demand is 0.94 acre-feet per year, comprised of 0.235 acre-feet/lot for household use. The Applicant must therefore be able to provide a supply of 282 acre-feet of water (0.94 acre-feet per year x 300 years) to meet the County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Forest View Acres Water District. As detailed in the Water Resources Report ("Report"), the estimated average daily use for the subdivision will be 1.0 acre-feet per year. The Report states that the District has a total annual firm water supply of 85 acre-feet per year from their Arapahoe well supply. The District reported that their average annual water demand is 80 acre-feet per year. The addition of .94 acre-feet per year to supply Ponderosa Pine Estates leaving an excess of 4.06 acre-feet.

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY
TERRY A. SAMPLE

LORI L. SEAGO
DOREY L. SPOTTS

BRYAN E. SCHMID
STEVEN W. MARTYN

MERI GERINGER
ERIKA KEECH

4. The District provided a letter of commitment for Ponderosa Pine Estates dated August 8, 2024, in which the District commits to providing water service for this subdivision for up to 4 lots with an estimated commitment of 0.235 acre-feet per lot, for a total of 0.94 annual acre-feet for residential uses. The letter was not signed, however; submission of a signed letter will be required prior to final plat recording.

State Engineer's Office Opinion

5. In a letter dated December 28, 2023, the State Engineer reviewed the proposal to subdivide 3.07 acres into 4 residential lots and cited information provided by Applicant that estimated a total demand of 1.0 acre-feet per year. The State Engineer stated that the proposed supply of water is to be served by the District. The State Engineer advises the information within their office indicates that the District has approximately 11.65 annual acre-feet of Denver Basin groundwater available for additional commitments and thus appears to have sufficient water resources to supply the proposed subdivision.

Further, the State Engineer offers their opinion that “. . . pursuant to Sections 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.”

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Ponderosa Pine Estates is 0.94 acre-feet per year to be supplied by the Forest View Acres Water District. **Based on the water demand of 0.94 acre-feet/year for the subdivision and the District's availability of water sources, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the Ponderosa Pine Estates.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the Water Supply Information Summary, the Water Resources Report dated December 12, 2023, the Forest View Acres Water District letter dated August 8, 2024, and the State Engineer Office's Opinion dated December 28, 2023. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

A. Prior to recording the final plat:

1. Applicant must amend Section 3.1 on p. 3 and Section 4.3 on p. 4 of the Water Resource Report to reflect the same water demand as the Water Supply Information Summary. Applicant must also remove pp. 7 and 9 (the WSIS and Commitment Letter) as they conflict with the more current documents in the project file.
2. Applicant must upload a signed pdf of the water provider Commitment Letter.

B. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc. Ryan Howser, Project Manager, Planner

VACATION AND REPLAT (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VR2324
PONDEROSA PINE ESTATES

WHEREAS, Clifford A. Joyner did file an application with the El Paso County Planning and Community Development Department for approval of a Vacation and Replat request to creating 4 single-family residential lots from 2 single-family residential lots, resulting in a net increase of 2 single-family residential lots within the RR-0.5 (Residential Rural) zoning district 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 September 5, 2024; 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 proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

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

WHEREAS, in approving a Vacation and Replat of a Subdivision, the El Paso County Planning Commission and Board of County Commissioners shall find that the application meets the criteria of approval listed in Section 7.2.3(C)(4) of the Land Development Code ("Code") (as amended):

1. The Replat complies with the Code and the original conditions of approval associated with the recorded Plat;
2. No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
3. The Replat is in keeping with the purpose and intent of the Code;
4. The Replat conforms to the required findings for a Minor or Major Subdivision, whichever is applicable;
5. 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 Engineering Criteria Manual ("ECM");
6. The approval will not adversely affect the public health, safety, and welfare; and
7. Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the Replat has been resolved.

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.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Clifford A. Joyner for approval of a Vacation and Replat to allow the creation of 4 single-family residential lots from 2 single-family residential lots, resulting in a net increase of 2 single-family residential lots within the RR-0.5 (Residential Rural) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. 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.
2. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 8/15/2024, as provided by the County Attorney's Office.

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. Applicant shall be required to pay all applicable park, school, drainage, and bridge fees upon plat recordation.

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.

_____ seconded the adoption of the foregoing Resolution.

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

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Bryce Schuettepelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

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

DONE THIS 5th day of September 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

Lots 1 and 2, Morgan Subdivision No. 1, County of El Paso, State of Colorado.
And containing 3.07 acres