

FINAL PLAT (RECOMMEND APPROVAL)

Fowler moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF2224
THE GLEN AT WIDFIELD FILING NO. 12

WHEREAS, Glen Investment Group No. VIII did file an application with the El Paso County Planning and Community Development Department for approval of a final plat for The Glen at Widefield Filing No. 12 Subdivision for the 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 21, 2023; 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.
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code (as amended):

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is in substantial conformance with the approved preliminary plan;
3. 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;
4. Either 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, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;
5. 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 the Code;
6. 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)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;
8. 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 ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;

11. 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 Code;
12. 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;
13. The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].

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 Land Development Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Glen Investment Group No. VIII for a final plat of The Glen at Widefield Filing No. 12 be approved by the Board of County Commissioners 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. 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.
10. Park fees in lieu of park land dedication in the amount of \$36,893 for regional fees and \$23,305 for urban park fees will be due at the time of recording the Final Plat.
11. Fees in lieu of school land dedication in the amount of \$16,353 shall be paid to El Paso County for the benefit of Widefield School District 3 at the time of plat recording.
12. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated January 20, 2023, as provided by the County Attorney's Office.
13. Drainage Fees in the amount of \$123,486.63 and bridge fees in the amount of \$36,533.95 for the West Fork Jimmy Camp Creek drainage basin (FOFO2000) shall be paid to El Paso County at the time of plat recordation.

14. The applicant shall complete an escrow agreement with the Colorado Department of Transportation (CDOT) in the amount of \$14,263 to be applied towards the construction of the traffic signal at the Mesa Ridge Parkway and Powers Boulevard intersection prior to Final Plat recordation.
15. The applicant shall complete an escrow agreement with the El Paso County in the amount of \$4,494 to be applied towards the construction of a traffic signal at the Mesa Ridge Parkway and Spring Glen Drive intersection prior to Final Plat recordation.
16. The applicant shall complete an escrow agreement with the El Paso County in the amount of \$4,977 to be applied towards the construction of a traffic signal at the Peaceful Valley Road and South Marksheffel Road intersection prior to Final Plat recordation.
17. Each individual lot is to be investigated by the lot owner's Geotechnical Engineer of Record for final foundation parameters and recommendation as required by the Pikes Peak Regional Building Department.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

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

TROWBRIDGE seconded the adoption of the foregoing Resolution.

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

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	aye / no / <u>non-voting</u> / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	<u>aye</u> / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / <u>absent</u>

Eric Moraes	aye / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / absent
Bryce Schuettpelz	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 9 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 21st day of September 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Thomas Bailey, Chair

DATED: September 21, 2023

EXHIBIT A

The Glen at Widefield Subdivision Filing No. 12:

A tract of land located in a Portion of the South One-half (S1/2) of Section 22, Township 15 South (T15S), Range 65 West (R65W) of the 6th P.M., County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Lot 89, Glen at Widefield Subdivision Filing No. 8 as recorded under Reception No. 218714205 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado; Thence N89°59'54"W, a distance of 497.00 feet; Thence along the arc of a non-tangential curve to the left, having a central angle of 07°36'38", a radius of 1080.00 feet, an arc length of 143.46 feet, whose chord bears N36°10'01"W; Thence N07°21'14"W, a distance of 635.18 feet; Thence N09°31'38"W, a distance of 584.99 feet to a point on the North line of the South One-half (S1/2) of said Section 22; Thence N89°51'21"E along the North line of the South One-half (S1/2) of said Section 22, a distance of 1161.92 feet; Thence S00°18'38"E, a distance of 483.09 feet; Thence S89°41'22"W, a distance of 28.36 feet; Thence S00°18'38"E, a distance of 170.00 feet; Thence S81°14'24"W, a distance of 43.05 feet; Thence S41°26'03"W, a distance of 38.75 feet; Thence S18°59'59"W, a distance of 87.12 feet; Thence S24°56'29"W, a distance of 48.70 feet; Thence S67°16'30"W, a distance of 133.27 feet; Thence S68°48'W, a distance of 146.71 feet; Thence S00°04'54"W, a distance of 405.64 feet to the Point of Beginning.

Said tract contains 27.229° acres (1,186,077 S.F.) more or less.

