

## RECORD OF ADMINISTRATIVE ACTION

### APPROVAL OF A FINAL PLAT FOR RIDGE AT COTTAGES AT MESA RIDGE (SF-22-014)

WHEREAS, CSJ No. 1, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Cottages at Mesa Ridge 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, pursuant to § 30-28-133.5 (1.5), C.R.S., a Board of County Commissioners may delegate to one or more County administrative officials the authority to approve or deny final plats, amendments to final plats, and correction plats provided certain criteria have been met; and

WHEREAS, § 2.2.4 of the El Paso County Land Development Code ("Code"), amended by the Board of County Commissioners of El Paso County, Colorado ("Board") on August 27, 2019 pursuant to Resolution No. 19-329, delegates to the Planning and Community Development Department Director ("Director") the authority to approve final plats, vacations, replats, and final plat amendments pursuant to the provisions of the Code; and

WHEREAS, on December 8, 2022, the Director reviewed the studies, reports, plans, designs, documents and other supporting materials submitted with respect to the above application; and

WHEREAS, based on the evidence, exhibits, consideration of the master plan for the unincorporated area of the County, 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, and comments by the general public, the Director finds as follows:

1. The application was properly submitted for consideration by the Planning and Community Development Department Executive Director.
2. Proper publication, and public notice were provided as required by law for the administrative review of the application by the Planning and Community Development Department Director.

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3. The administrative review of the application by the Planning and Community Development Department Director was extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were provided a fourteen (14) day time period to submit comments.
  4. All exhibits were received into evidence.
  5. The subdivision is in 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. At a public hearing on the preliminary plan held on June 7, 2022, the Board found that 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 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 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 Code and Engineering Criteria Manual ("ECM").
  12. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to El Paso County in compliance with the Code and the ECM.
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13. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
14. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
15. 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.
16. 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 that the impacts of the subdivision will be adequately mitigated.
17. The subdivision meets other applicable sections of Chapters 6 and 8 of the Code.
18. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
19. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.

The El Paso County Planning and Community Development Department Director, therefore, APPROVES the final plat application for Cottages at Mesa Ridge subdivision.

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 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 applicants shall submit the Mylar to Enumerations for addressing.
  5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
  6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
  7. The subdivider(s) agrees on behalf of him/herself and any 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 disclose the fee obligation before sale of the property.
  8. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
  9. Regional park fees (Region 4) in lieu of land dedication in the amount of \$56,120.00 and urban park fees (Urban Area 4) in lieu of land dedication in the amount of \$35,380.00 shall be paid at the time of final plat recordation. A park lands agreement shall be an acceptable alternative to urban park fees provided the agreement is approved by the County and executed prior to recording the final plat.
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10. School fees in lieu of land dedication in the amount of \$25,254.00 to benefit the Widefield School District No. 3 shall be paid at the time of final plat recordation.
11. Drainage fees in the amount of \$81,336 and bridge fees in the amount of \$24,060 for the West Fork Jimmy Camp Creek drainage basin (FOFO2000) shall be paid to El Paso County at the time of plat recordation.
12. A site development plan shall be submitted and approved prior to issuance of a building permit for the dwelling units.
13. Recorded emergency ingress /egress easement shall be provided to the Planning and Community Development prior to plat recordation.
14. A Colorado Department of Transportation (CDOT) access permit shall be required for the proposed development. The applicant shall comply with all CDOT access permit requirements.

#### **NOTATIONS**

1. Approval of the final plat will expire after twenty-four (24) months unless the final plat has been recorded or a request for extension has been granted.

DONE THIS 8th day of December 2022 at Colorado Springs, Colorado.

KEVIN MASTIN, EXECUTIVE DIRECTOR  
EL PASO COUNTY PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT



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EXHIBIT A  
Legal Description

That portion of the Northwest Quarter of Section 28 and the Northeast Quarter of Section 29, Township 15 South, Range 65 West of the 6<sup>th</sup> P.M., County of El Paso, State of Colorado, described as follows:

**BASIS OF BEARINGS:** Bearings are based upon the North line of the Northeast Quarter of said Section 29, monumented at the West end with a 3.25" aluminum cap in concrete stamped "PLS 4842" and monumented at the East end with a #6 rebar and 3.25" aluminum cap stamped "PLS 38141" and assumed to bear S 89°57'13" E a field measured distance of 2,652.37 feet.

**BEGINNING** at the Northwest corner of the Northwest Quarter of said Section 28;  
thence N 89°41'59" E along the North line of said Northwest Quarter, a distance of 117.30 feet to a point on the West line of Powers Boulevard as recorded under Book 6788 at Page 531 of the records of the El Paso County Clerk and Recorders Office;  
thence along the West line of said Powers Boulevard, 933.14 feet along the arc of a 1,096.98 foot radius curve to the right, having a central angle of 48°44'17" and a chord that bears S 12°56'23" W, 905.26 feet to a point on the Northerly line of that parcel of land described under Book 5506 at Page 1290 of said records;  
thence of the following eight (8) courses along said Northerly lines and Easterly lines of said parcel of land described under Book 5506 at Page 1290:  
1) N 84°16'00" W, a distance of 198.99 feet;  
2) 46.11 feet along the arc of a 540.00 foot radius tangent curve to the left, having a central angle of 04°53'33" and a chord that bears N 86°42'46" W, 46.10 feet;  
3) N 89°09'33" W, a distance of 124.09 feet;  
4) 100.02 feet along the arc of a 140.00 foot radius tangent curve to the right, having a central angle of 40°56'07" and a chord that bears N 68°41'30" W, 97.91 feet;  
5) N 48°13'27" W, a distance of 126.77 feet;  
6) 6.49 feet along the arc of an 8.00 foot radius tangent curve to the right, having a central angle of 46°29'23" and a chord that bears N 24°58'45" W, 6.31 feet;  
7) N 01°44'04" W, a distance of 137.18 feet;  
8) 87.71 feet along the arc of a 135.00 foot radius tangent curve to the left, having a central angle of 37°13'35" and a chord that bears N 20°21'02" W, 86.18 feet to the Southwest corner of Lot 15, Block 3, Sunrise Ridge Subdivision Filing No. 8 as recorded under Reception No. 1722613 of said records;  
thence the following two (2) courses along the Easterly line of said Sunrise Ridge Subdivision Filing No. 8:  
1) 511.39 feet along the arc of a 1,034.60 foot radius curve to the left, having a central angle of 28°19'14" and a chord that bears N 58°13'41" E, 506.20 feet to a point of compound curvature;  
2) 283.12 feet along the arc of a 500.00 foot radius curve to the left, having a central angle of 32°26'36" and a chord that bears N 27°50'47" E, 279.35 feet to a point on the North line of said Northeast Quarter;  
thence N 89°57'13" E along the North line of said Northeast Quarter, a distance of 115.21 feet to the Point of Beginning.

Record of Administrative Action  
Cottages at Mesa Ridge  
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Containing a calculated area of 445,104 square feet (10.218 acres) of land, more or less.

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