

RECORD OF ADMINISTRATIVE ACTION

**APPROVAL OF A FINAL PLAT FOR CARRIAGE MEADOWS SOUTH FILING NO. 2
AT LORSON RANCH (SF-20-011)**

WHEREAS, Lorson Nominee for Heidi, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Carriage Meadows South Filing No. 2 at Lorson Ranch 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 Director ("Director") the authority to approve final plats, vacations, replats, and final plat amendments pursuant to the provisions of the Code; and

WHEREAS, on October 14, 2020, 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 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 Director.
3. The administrative review of the application by the Planning and Community Development Director was extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were provided a fourteen day (14) time period to submit comments.

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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 July 28, 2020, 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.
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 Director therefore APPROVES the final plat application for the Carriage Meadows South Filing No. 2 at Lorson Ranch 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 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 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 Subdivision Improvements Agreement, including the Financial Assurance Estimate as approved by the ECM Administrator, shall be filed at the time of final plat recordation.
8. Collateral sufficient to ensure the public improvements as listed in the approved Financial Assurance Estimate shall be provided at the time of final plat recordation.
9. 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.
10. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
11. Regional park fees (Region 2) in lieu of land dedication in the amount of \$22,800.00 and urban park fees (Urban Area 3) in lieu of land dedication in the amount of \$14,400.00 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.

12. The developer shall mitigate the constraints identified in RMG Engineering's geology, soils, and hazards report dated December 12, 2019 prior to the issuance of lot specific building permits. RMG Engineering's recommendations include additional geotechnical investigation, testing and analysis for design of individual foundations, floor systems, and subsurface drainage to be completed prior to the issuance of lot specific building permits.
13. The developer shall collateralize and complete the sidewalk/trail connections as shown on the Carriage Meadows South Filing No. 2 PUD/Preliminary Plan with the final plat.
14. The developer shall collateralize and complete the sidewalk/trail connections shown as "existing" on the Carriage Meadows South PUD/Preliminary Plan (east of the Fontaine bridge) if not previously completed at the time of plat recording.
15. The developer shall participate in a fair and equitable manner in the design and future construction of intersection improvements at the intersections of Lorson Boulevard / Marksheffel Road and Fontaine Boulevard / Carriage Meadows Drive, which shall be constructed by the developer at the time warrants are met.
 - a. The fair share attributed to Carriage Meadows South Filing No. 2 shall be deposited as escrow in the amounts of \$10,453 and \$10,909 respectively for the intersections identified above, as identified in the Traffic Impact Analysis dated January 13, 2020, showing the proportionate impacts of the Lorson Ranch subdivision filings that are anticipated to add traffic to these intersections to a level warranting signalization or other improvements. An escrow agreement, including a financial assurance estimate for the intersection signalization improvements, as approved by the Planning and Community Development Department Director and the County Attorney's Office, shall be completed and escrow deposited prior to recording the final plat.
 - b. A decision regarding the County's preferred intersection option (signal, roundabout or channelized tee) for the Lorson Boulevard / Marksheffel Road intersection will be provided upon receipt of future warrant studies.
 - c. Within one year of final plat recording or upon buildout of Carriage Meadows South Filing No. 2, whichever occurs first, Developer shall provide signal warrant analyses for the Fontaine Blvd./Carriage Meadows Drive and Lorson Blvd./Marksheffel Road intersections to EPC PCD and EPC Department of Public Works (DPW) for review. If signal warrants are met for one or both intersections, developer shall submit construction plans for the intersection(s)

needing improvements to PCD for review prior to approval of any additional development within Lorson Ranch that will add traffic to the corresponding intersection(s). If signal warrants are not met within one year of final plat recording or upon buildout of Carriage Meadows South Filing No. 2, whichever occurs first, for either intersection, warrant analyses shall be updated every six months or as otherwise directed in writing by the County Engineer. The improvements to either intersection for which warrants have been met shall be fully collateralized within one month of receiving written direction from the County Engineer. The intersection improvements are not currently reimbursable under the requirements of the Road Fee program (see No. 3 on page 19 of the implementation document).

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.
2. Drainage and bridge fees for the Jimmy Camp Creek drainage basin were accounted for at the time of Carriage Meadows South at Lorson Ranch Filing No. 1 final plat recordation.
3. The property is located within the boundaries of Widefield School District No. 3. The applicant is not required to pay fees in lieu of land dedication for a school site pursuant to a School Site Dedication and Waiver of Fees in Lieu of Land Dedication agreement between Lorson, LLC, Widefield School District No. 3 and El Paso County as originally approved by the Board of County Commissioners on April 12, 2012, and as amended by approval of the Board of County Commissioners on August 23, 2016.

DONE THIS 14th day of October 2020 at Colorado Springs, Colorado.

**CRAIG DOSSEY, EXECUTIVE DIRECTOR
EL PASO COUNTY PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT**

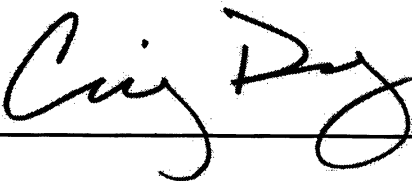


EXHIBIT A

**CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 2
SUBDIVISION BOUNDARY LEGAL DESCRIPTION**

TRACT O, "CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 1" AS RECORDED UNDER RECEPTION NO. 218714083 IN THE RECORDS OF EL PASO COUNTY, COLORADO, TOGETHER WITH A PORTION OF CARRIAGE MEADOWS DRIVE RIGHT-OF-WAY, BEING A PORTION OF THE NE 1/4 SECTION 22 AND THE NW 1/4 SECTION 23, T15S, R65W OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT O, SAID POINT ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINE BOULEVARD;

THENCE ALONG THE WESTERLY LINE OF TRACT U, "CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 1" THE FOLLOWING THREE (3) COURSES:

- (1) THENCE S03°20'53"W A DISTANCE OF 348.68 FEET TO A POINT OF TANGENT;
- (2) THENCE 288.07 FEET ON THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 2,274.97 FEET, A CENTRAL ANGLE OF 7°15'18", A CHORD OF 287.87 FEET WHICH BEARS S00°42'37"W TO A POINT OF REVERSE CURVE;
- (3) THENCE 92.97 FEET ON THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,725.00 FEET, A CENTRAL ANGLE OF 3°05'17", A CHORD OF 92.96 FEET WHICH BEARS S02°22'12"E TO THE NORTHEAST CORNER OF TRACT V, "CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 1";

THENCE N89°10'11"W ALONG SAID NORTH LINE, 86.65 FEET TO THE NORTHEAST CORNER OF LOT 103, "CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 1";

THENCE S84°58'40"W ALONG SAID NORTH LINE AND THE NORTH LINE OF RUBICON DRIVE, 160.0 FEET TO THE WEST RIGHT-OF-WAY LINE OF RUBICON DRIVE;

THENCE S05°01'20"E ALONG SAID RIGHT-OF-WAY LINE LINE, 4.47 FEET TO THE NORTHEAST CORNER OF LOT 102, "CARRIAGE MEADOWS SOUTH AT LORSON RANCH FILING NO. 1";

THENCE S80°06'50"W ALONG THE NORTH LINE OF LOTS 102 THROUGH 98, A DISTANCE OF 269.15 FEET TO THE EAST RIGHT-OF-WAY LINE OF CARRIAGE MEADOWS DRIVE;

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- (1) THENCE N09°53'10"W A DISTANCE OF 17.76 FEET TO A POINT OF CURVE;
- (2) THENCE 140.64 FEET ON THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF 46°02'46", A CHORD OF 136.89 FEET WHICH BEARS N13°08'13"E TO A POINT OF TANGENT;
- (3) THENCE N36°09'36"E ALONG SAID TANGENT 118.53 FEET;

THENCE N39°01'21"E, A DISTANCE OF 100.12 FEET;

THENCE N36°09'36"E, A DISTANCE OF 74.13 FEET TO A POINT OF CURVE;

THENCE 207.94 FEET ON THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 20°01'26", A CHORD OF 206.88 FEET WHICH BEARS N26°08'53"E;

THENCE N15°51'17"E, NON-TANGENT TO THE PREVIOUS COURSE, 187.75 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF FONTAINE BOULEVARD;

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- (1) THENCE N44°18'57"E A DISTANCE OF 56.44 FEET;
- (2) THENCE N89°26'47"E A DISTANCE OF 144.21 FEET TO THE POINT OF BEGINNING.

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SAID PARCEL CONTAINS A CALCULATED AREA OF 236,952 SQUARE FEET (5.440 ACRES) OF LAND, MORE OR LESS.

NOTES

1. BASIS OF BEARING: THE SOUTH LINE OF FONTAINE BOULEVARD AS SHOWN ON THE RECORD PLAT OF "CARRAIGE MEADOWS SOUTH AT LORSON RANCH FILING NO 1", AND MONUMENTED AT BOTH ENDS OF SAID LINE WITH AN ORANGE CAP ON NO. 5 REBAR STAMPED "M&S CIVIL PLS 25966", BEARS N89°26'47"E A DISTANCE OF 585.13 FEET.