



RESOLUTION NO. 18-212

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

APPROVE FINAL PLAT FOR CARRIAGE MEADOWS NORTH FILING NO. 1
(SF-17-023)

WHEREAS, Eagle Development Company 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 North Filing No. 1 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on May 1, 2018, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on May 22, 2018; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Planning Commission.
2. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. All exhibits were received into evidence.

5. The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.
10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Land Development Code.
15. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or

are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.

16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. For the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the final plat application for the Carriage Meadows North Filing No. 1 Subdivision;

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicants 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 a plat, the subdivider shall provide the certification from 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 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 Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the ECM Administrator or designee, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure construction of the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 16-454), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Park fees in lieu of land dedication for regional parks (Area 4) and urban park (Area 4) fees shall be paid at time of plat recordation.
11. The developer shall participate in a fair and equitable manner in the design and future construction of traffic signalization improvements at Fontaine Boulevard and Carriage Meadows Drive, which shall be constructed by the developer at the time signal warrants are met. The fair share attributed to Carriage Meadows North shall be deposited as escrow in the amount of \$14,938, corresponding to a roughly five percent (5%) proportionate impact of the remaining Lorson Ranch subdivision filings

that are anticipated to add traffic to this intersection to a level warranting signalization. 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.

12. Drainage, bridge, and surety fees for the Jimmy Camp Creek basin shall be paid, or existing developer credits deducted, at the time of final plat recording.
13. In accordance with the Memorandum of Agreement approved by Board of County Commissioners Resolution No. 18-091 (Reception No. 218024260), the applicants shall reimburse the Pikes Peak Rural Transportation Authority for the Marksheffel Road right-of-way proposed to be vacated, in an amount satisfactory to the El Paso County Attorney. The final plat shall not be recorded until proof of the reimbursement is provided to PCD and construction of the necessary drainage improvements is complete or adequate collateral for the improvements has been provided.

NOTATIONS


1. Final plats not recorded within 12 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. No school fees are due upon plat recordation pursuant to a 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.

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

DONE THIS 22nd day of May, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: 
President

By: 
County Clerk & Recorder

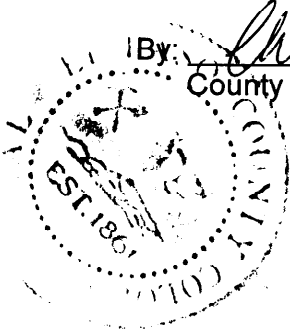


EXHIBIT A

LEGAL DESCRIPTION

BASIS OF BEARING: THE EAST-WEST CENTERLINE OF SECTION 14, T15S, R65W, OF THE 6TH P.M. EL PASO COUNTY, COLORADO AS MONUMENTED. THE QUARTER CORNER COMMON TO SECTION 14 AND SECTION 15 IS A 3.25 INCH ALUMINUM CAP STAMPED "J.R. DEVELOPERS, T15S R65W, E1/4 S15 W1/4 S14, 1986, PLS 10377" FROM WHICH THE CENTER OF SECTION 14 BEARS N89°42'02"E, 2646.02 FEET AND IS MONUMENTED BY A 3.25 IN ALUMINUM CAP STAMPED "KM, T15S R65W, S14, C1/4, 2004, LS 16109".

A PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15 AND IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, T15S, R65W OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF PARCEL NO. 21 AS DESCRIBED IN WARRANTY DEED UNDER RECEPTION NO. 214104176 IN THE RECORDS OF EL PASO COUNTY, COLORADO SAID POINT BEING THE QUARTER CORNER COMMON TO SECTION 14 AND SECTION 15, T15S, R65W OF THE 6TH P.M., EL PASO COUNTY COLORADO;

THENCE N89°42'02"E ALONG SAID SOUTHERLY LINE, 192.66 FEET;

THENCE CONTINUING N89°42'02"E ALONG SAID SOUTHERLY LINE, 337.26 FEET TO THE NORTHWEST CORNER OF "BUFFALO CROSSING FILING NO. 1" AS RECORDED UNDER RECEPTION NO. 212132273 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE ALONG THE WESTERLY LINES THEREOF THE FOLLOWING FOUR (4) COURSES;

(1) THENCE S17°54'37"W, 372.11 FEET TO A POINT OF CURVE;

(2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 915.00 FEET, A CENTRAL ANGLE OF 18°11'05", (THE CHORD OF WHICH BEARS S08°49'05"W A DISTANCE OF 289.19 FEET), AN ARC DISTANCE OF 290.41 FEET TO A POINT OF TANGENT;

(3) THENCE S00°16'28"E A DISTANCE OF 615.98 FEET;

(4) THENCE N89°56'30"E A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF "THE MEADOWS AT LORSON RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 211713116 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE ALONG THE WESTERLY LINES THEREOF THE FOLLOWING FIVE COURSES;

(1) THENCE S00°16'28"E A DISTANCE OF 228.49 FEET TO A POINT OF CURVE;

(2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 590.01 FEET, A CENTRAL ANGLE OF 30°42'13", (THE CHORD OF WHICH BEARS S15°37'34"E A DISTANCE OF 312.40 FEET), AN ARC DISTANCE OF 316.74 FEET TO A POINT OF TANGENT;

(3) THENCE S30°58'40"E ALONG SAID TANGENT 128.74 FEET TO A POINT OF CURVE;

(4) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 920.00 FEET, A CENTRAL ANGLE OF 34°19'12", (THE CHORD OF WHICH BEARS S13°48'14"E A DISTANCE OF 542.87 FEET), AN ARC DISTANCE OF 551.08 FEET TO A POINT OF TANGENT;

(5) THENCE S03°20'53"W A DISTANCE OF 175.07 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF FONTAINE BOULEVARD AS RECORDED UNDER RECEPTION NO.207107321 IN THE EL PASO COUNTY, COLORADO RECORDS; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING NINE

(9) COURSES:

(1) THENCE S89°26'47"W A DISTANCE OF 308.38 FEET;

(2) THENCE N74°27'51"W A DISTANCE OF 32.48 FEET;

(3) THENCE S89°26'47"W A DISTANCE OF 183.56 FEET;

(4) THENCE N87°29'04"W A DISTANCE OF 87.83 FEET;

(5) THENCE N47°38'58"W A DISTANCE OF 61.43 FEET;

(6) THENCE N83°58'53"W A DISTANCE OF 90.63 FEET;

(7) THENCE S43°43'07"W A DISTANCE OF 49.76 FEET;

(8) THENCE N84°44'52"W A DISTANCE OF 81.43 FEET;

(9) THENCE S89°26'47"W A DISTANCE OF 678.79 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD AS RECORDED UNDER RECEPTION NO. 216022299 IN THE EL PASO COUNTY, COLORADO RECORDS; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES;

(1) THENCE N35°13'35"W A DISTANCE OF 114.30 FEET;

(2) THENCE N14°49'54"E A DISTANCE OF 298.16 FEET;

(3) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 12070.00 FEET, A CENTRAL ANGLE OF 01°57'34", (THE CHORD OF WHICH BEARS N13°51'07"E A DISTANCE OF 412.74 FEET), AN ARC DISTANCE OF 412.76 FEET;

(4) THENCE N14°51'00"E A DISTANCE OF 109.41 FEET;

(5) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 5809.75 FEET, A CENTRAL ANGLE OF 00°58'38", (THE CHORD OF WHICH BEARS N14°21'44"E A DISTANCE OF 99.09 FEET), AN ARC DISTANCE OF 99.09 FEET;

(6) THENCE N76°07'58"W A DISTANCE OF 8.19 FEET;

(7) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 12070.00 FEET, A CENTRAL ANGLE OF 05°31'33", (THE CHORD OF WHICH BEARS N09°06'53"E A DISTANCE OF 1163.65 FEET), AN ARC DISTANCE OF 1164.10 FEET;

THENCE N06°13'25"E A DISTANCE OF 57.38 FEET;

THENCE CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD THE FOLLOWING TWO (2) COURSES;

(1) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 12070.00 FEET, A CENTRAL ANGLE OF 01°47'06", (THE CHORD OF WHICH BEARS N05°11'13"E A DISTANCE OF 376.01 FEET), AN ARC DISTANCE OF 376.02 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 15;

(2) THENCE N89°28'36"E ALONG SAID NORTH LINE 6.30 FEET TO THE SOUTHWEST CORNER OF AFORESAID PARCEL NO. 21 AS DESCRIBED IN WARRANTY DEED UNDER RECEPTION NO. 214104176;

THENCE N89°28'36"E ALONG THE SOUTHERLY LINE THEREOF 496.10 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 2,991,075 SQUARE FEET (68.666 ACRES), MORE OR LESS.