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PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Ryan Howser, AICP, Planner III
Charlene Durham, PE, Senior Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Number: MS234
Project Name: Guntzelman Porcelain Pines
Parcel Number: 8322200018

OWNER:	REPRESENTATIVE:
Christa and Kristian Guntzelman 5381 Sugar Camp Road Milford, OH 45150	SMH Consultants 620 North Tejon Street, Suite 201 Colorado Springs, CO 80903

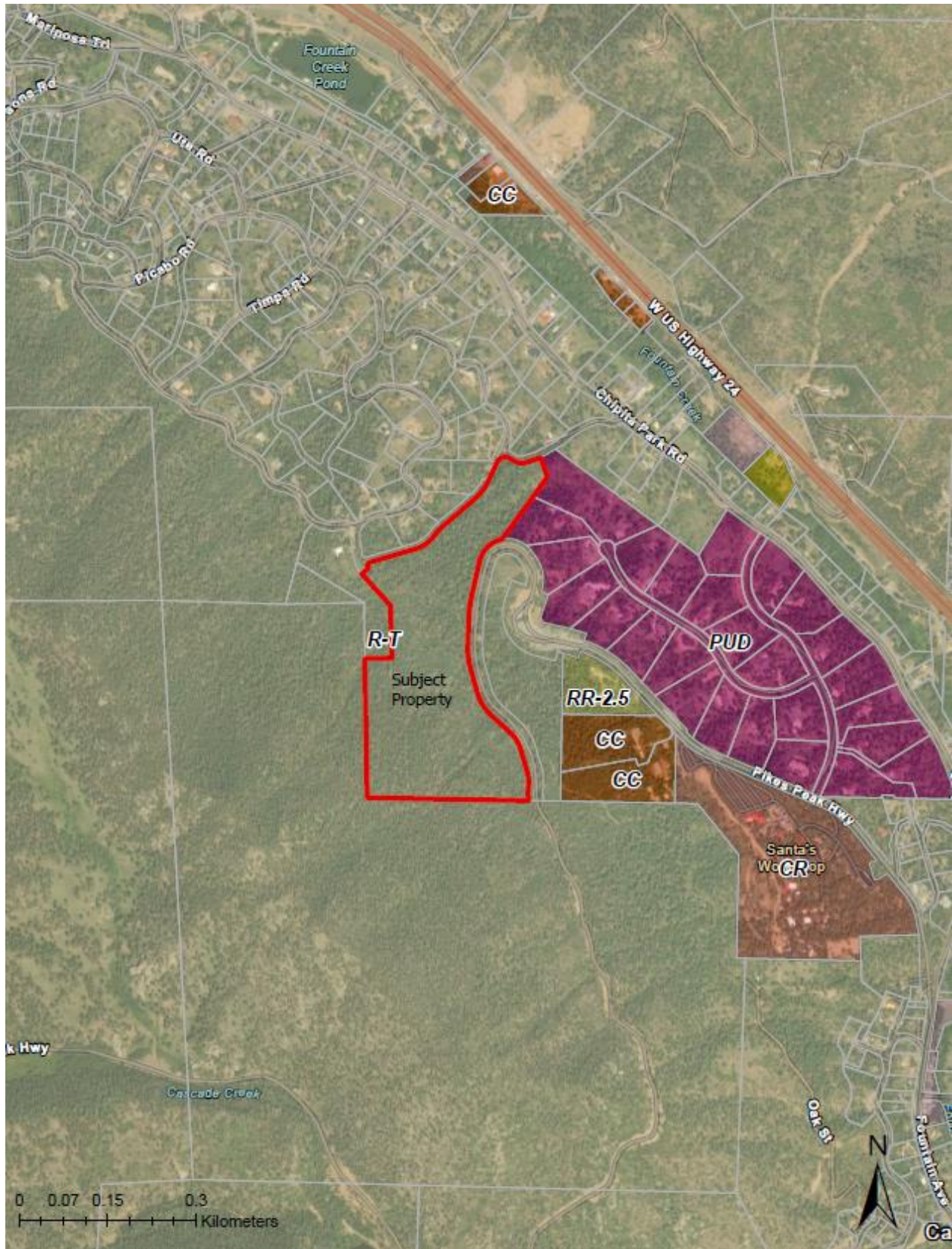
Commissioner District: 3

Planning Commission Hearing Date:	5/16/2024
Board of County Commissioners Hearing Date:	6/13/2024

EXECUTIVE SUMMARY

A request by Christa and Kristian Guntzelman for approval of a 35.06-acre Minor Subdivision creating three (3) single-family lots. The property is zoned R-T (Residential Topographic) and is located at the intersection of Mountain Road and Kulsa Road and is approximately one-quarter of a mile west of Chipita Park Road.





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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

In approving a Minor Subdivision, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended):

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of this Code;
- 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;
- 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 this Code (this finding may not be deferred to final plat if the applicant intends to seek administrative Final Plat approval);
- 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 this Code;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;
- The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
- Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and ECM;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open

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spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

- Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and
- 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;
- 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;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. § 34-1-302(1), et seq.]

C. BACKGROUND

The property was zoned R-T (Residential Topographic) on April 28, 1966, when zoning was first initiated for this portion of El Paso County. The subject property consists of one (1) unplatted parcel, which is greater than 35 acres in size, and therefore is considered a legal parcel. The property is vacant. If the request for a Minor Subdivision is approved, the resulting property will consist of three (3) legally platted lots.

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The properties in the immediate vicinity to the subject property vary in size. Property to the northwest consists of platted lots within the Ute Pass Summer Homes subdivision, which consists of lots ranging in size from 1 acre to 1.25 acres, which were platted on January 7, 1924, and are therefore considered legally nonconforming to the R-T zoning district. The property to the northeast of the subject property consists of platted lots within the Pikes Peak Mountain Estates PUD and subdivision, which consists of lot sizes of approximately 2.5 to 3 acres. The property to the east of the subject property on the east side of Pikes Peak Highway is zoned R-T and is vacant, and the property to the south of the subject property is part of the Pikes Peak National Forest. The proposed lot sizes are greater than the residential lots within the immediate vicinity of the subject property, and therefore the proposal may be considered as a density buffer between the higher density properties to the north and west and the undeveloped and preservation land to the south and east.

D. ANALYSIS

The Minor Subdivision application meets the Final Plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (as amended).

The subject property is zoned R-T (Residential Topographic). The R-T zoning district is intended to accommodate residential use in regions of extreme topographical conditions. The density and dimensional standards for the RR-5 zoning district are as follows:

- *Minimum lot size: 5 acres*
- *Minimum width at the front setback line: 200 feet*
- *Minimum setback requirement: front 25 feet, rear 25 feet (5 feet for accessory structures), side 25 feet*
- *Maximum lot coverage: 30%*
- *Maximum height: 30 feet*

All the lots are proposed to meet the dimensional standards of the R-T zoning district. In order to initiate any new residential uses on the property, the applicant will be required to obtain site plan approval. Any proposed additional structures will require site plan review and will include confirmation that all proposed site improvements will comply with the Dimensional Standards included in Chapter 5 as well as the Development Standards of Chapter 6 of the Code.

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E. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. Placetype Character: Rural

The Rural placetype comprises rangeland, farms, and other agricultural uses. The primary land use in this placetype is agriculture however residential uses such as farm homesteads and estate residential are allowed as support uses. Residential lot development within the Rural placetype typically cover 35 acres or more per two units with the minimum lot area consisting of 5-acres per unit. The Rural placetype covers most of the eastern half of the County.

Rural areas typically rely on well and septic and parcels for residential development tend to be substantial in size. Rural areas are remotely located and distant from high activity areas or dense suburban or urban places, making access to regional transportation routes, such as Highway 24 and Highway 94, vital to the quality of life for rural community residents.

The agricultural lands that Rural areas contain represent a valuable economic resource and unique lifestyle that should be preserved. The Rural placetype includes agricultural lands which represent a valuable economic resource and allow for a unique lifestyle that should be preserved. As growth occurs, some Rural areas may develop and transition to another placetype, however leapfrog development should be discouraged, by pro-actively permitting changing areas contiguous to existing development to another placetype.

Recommended Land Uses:

Primary

- *Agriculture*
- *Parks/Open Space*
- *Farm/Homestead Residential*

Supporting

- *Estate Residential (Minimum 1 unit/5-acres)*
- *Institutional*

Analysis:

The Rural Placetype supports the County's established agricultural and rural identity. This placetype is uniquely sensitive to new development due to limited

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water access and infrastructure making sustainable growth a priority. Relevant goals and objectives 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.*

Goal HC2 – *Preserve the character of rural and environmentally sensitive areas.*

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

The proposed Minor Subdivision is consistent with the Rural placetype. The placetype allows single-family detached residential uses with 5-acre lots or larger as a primary use.

b. Area of Change Designation: Protected/Conservation Area

These areas of the County are not likely to change. Due to their local, ecological, or historical influence they should be preserved as they are throughout the life of this Master Plan and beyond. The existing development setting of these places will remain the same in the place-types, outlined in the next section.

Analysis:

The Protected/Conservation area of change states that these areas will not likely change in character. The lot sizes proposed with the Minor Subdivision are compatible with development in the surrounding area; the proposal is consistent with the existing zoning and is therefore not expected to change the character of the area.

c. Key Area Influences: Forested Area

This Key Area includes parts of the County where natural forests are the predominant feature such as Black Forest, areas north of Peyton, and areas along Highway 115 as well as lands within Pike National Forest. Pike National Forest is one of the County's largest natural amenities and tourist destinations. Continued coordination with the U.S. Forest Service is critical to ensuring future development in areas adjacent to the Forest do not negatively impact the natural environment. There are also many established communities within Pike National Forest particularly in Ute Pass and

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along Highway 115. New development and any redevelopment in these locations should be of a lower intensity to mitigate any impacts on the Forest, properly manage stormwater, provide safe access to major roads and state highways for the traveling public and emergency response vehicles and adhere to the strictest building codes to prevent any hazards such as fires and soil erosion related to poor planning, design, and construction.

Managed residential growth, along with supportive commercial uses, have helped the other forested areas preserve their natural amenities while supporting the daily needs of a thriving local community. The seamless connection between the natural environment and small-scale, low intensity development is critical to their identity. All new development and redevelopment in this Key Area should strictly adhere to the transportation and infrastructure, stormwater requirements, built form, and transition guidelines outlined in their appropriate placetypes. Each development proposal should also be reviewed on a case-by-case basis to determine its specific impact on the forested area and the established character of the individual community.

Analysis:

The property is located within the Forested Area. A relevant specific strategy is as follows:

Goal LU1 Specific Strategy – *New development and any redevelopment in Forested Areas should be of a lower intensity to mitigate any impacts on the Forest, properly manage stormwater, provide safe access to major roads and state highways for the traveling public and emergency response vehicles and adhere to the strictest building codes to prevent any hazards such as fires and soil erosion related to poor planning, design, and construction.*

The lot sizes proposed with the Minor Subdivision are consistent with the existing development pattern in the area, which consists of lots and unplatted parcels varying in size. The property is directly adjacent to platted lots less than an acre in size to the north and west, as well as National Forest land to the south, which will likely remain unplatted and undeveloped.

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

The property is not located within a priority development area.

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2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand the 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.*

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 1 of the Plan, which is not an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 1 for central water providers:

The Plan identifies the current demand for Region 1 to be 83,622 acre-feet per year (AFY) (Figure 5.1) with a current supply of 99,001 AFY (Figure 5.2). The projected demand in 2040 for Region 1 is at 111,086 AFY (Figure 5.1) with a projected supply of 119,001 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region is 1 is at 138,453 AFY (Figure 5.1) with a projected supply of 139,001 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 548 AFY is anticipated for Region 1.

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

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3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. El Paso County Community Services Department, Environmental Division, Colorado Parks and Wildlife, US Fish & Wildlife, and US Forest Service were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies granite and fine-grained granite 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.

F. PHYSICAL SITE CHARACTERISTICS

1. Hazards

The property has been found to be impacted by the following geologic hazards: steep slopes, debris flows and debris fans, and faults and seismicity. Due to the prevalence of geologic hazards on the property, the following note is placed on the plat: long-term cut slopes in the upper soil shall be limited to no steeper than 3:1 (horizontal to vertical) for all lots.

The Colorado Geological Survey was sent a referral and provided a response indicating there are no outstanding issues or comments.

2. Floodplain

The property is not located within a defined floodplain as determined by FEMA Flood Insurance Rate Map panel number 08041C0486G, dated December 7, 2018.

3. Drainage and Erosion

The property is located in the Upper Fountain Drainage Basin which is not included in the El Paso County Drainage Basin Fee program. No drainage or bridge fees will be due at the plat recording.

Water quality and detention is not required for this subdivision. The increase in stormwater runoff is negligible and will not adversely affect downstream and adjacent developments.

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4. Transportation

The subdivision is accessed off Kulsa Road, which is owned and maintained by El Paso County. A traffic study was not required as the proposed subdivision is not expected to generate 100 daily vehicle trips. The 3 lots will be accessed by a private driveway via a proposed shared access easement through the project site. The El Paso County 2016 Major Transportation Corridors Plan Update does not depict roadway improvements in the immediate vicinity. The development is subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471), as amended.

G. SERVICES

1. Water

Water will be provided by Colorado Springs Utilities (CSU). 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 Minor 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

Wastewater is provided by individual on-site wastewater treatment systems (OWTS). El Paso County Public Health was sent a referral and has no outstanding comments.

3. Emergency Services

The property is within the Cascade Fire Protection District. The District was sent a referral and did not provide a response.

4. Utilities

Colorado Springs Utilities (CSU) provides electrical service to the property and Black Hills Energy (BHE) provides natural gas service to the property. Both utility providers were sent a referral and have no outstanding comments.

5. Parks/Trails

Fees in lieu of park land dedication in the amount of \$1,515.00 for regional fees (Area 3). Urban park fees are not applicable to this application.



6. Schools

Fees in lieu of school land dedication in the amount of \$555.00 shall be paid to El Paso County for the benefit of Manitou Springs School District No. 14 at the time of Final Plat recording.

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 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended) staff recommends 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. 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.

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4. Driveway permits will be required for each access to an El Paso County-owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. 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.
6. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 3/5/2024, 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.

K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 35 adjoining property owners on April 29, 2024, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

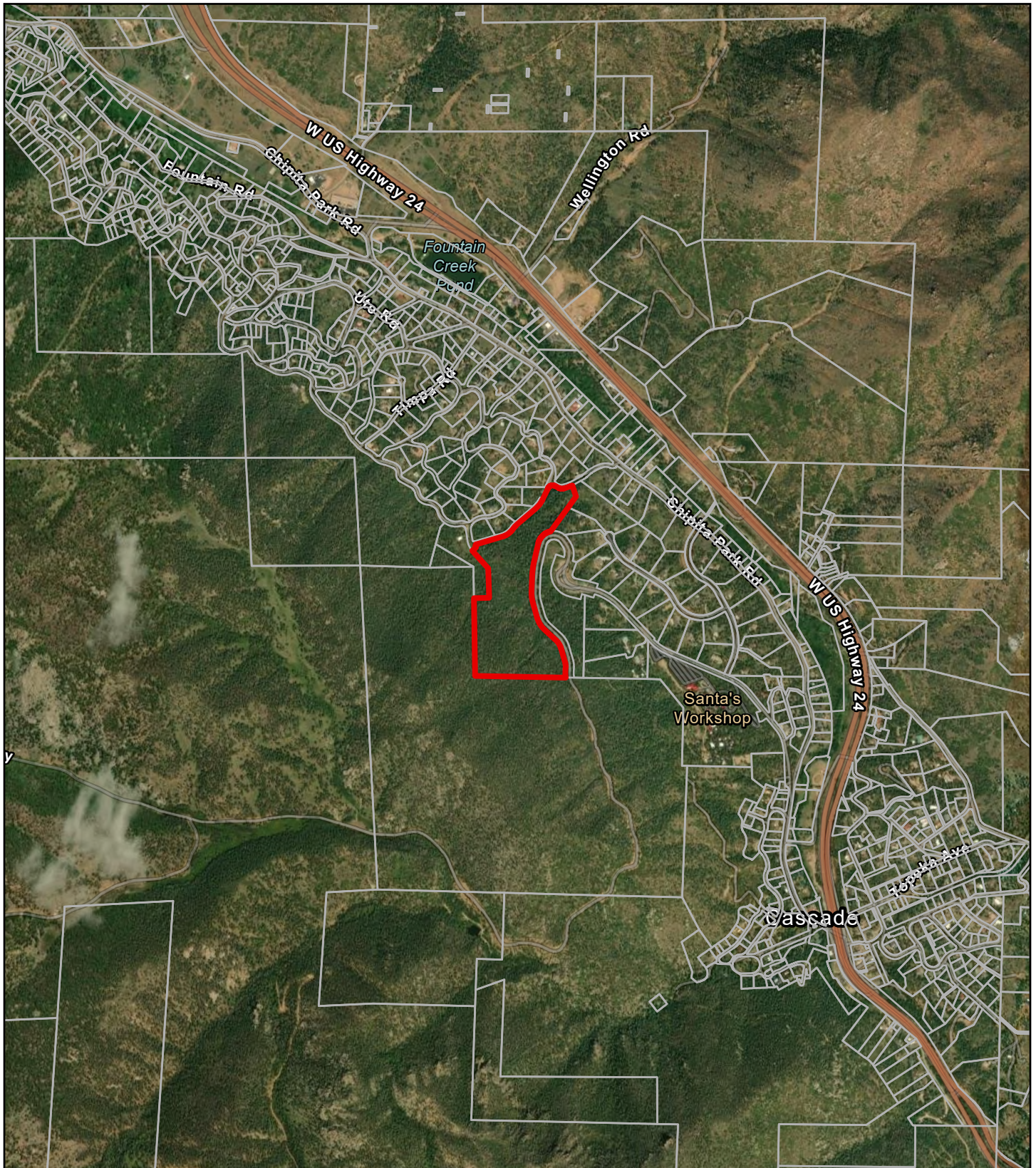
L. ATTACHMENTS

Map Series
Letter of Intent
Plat Drawing
State Engineer's Letter
County Attorney's Letter
Draft Resolution

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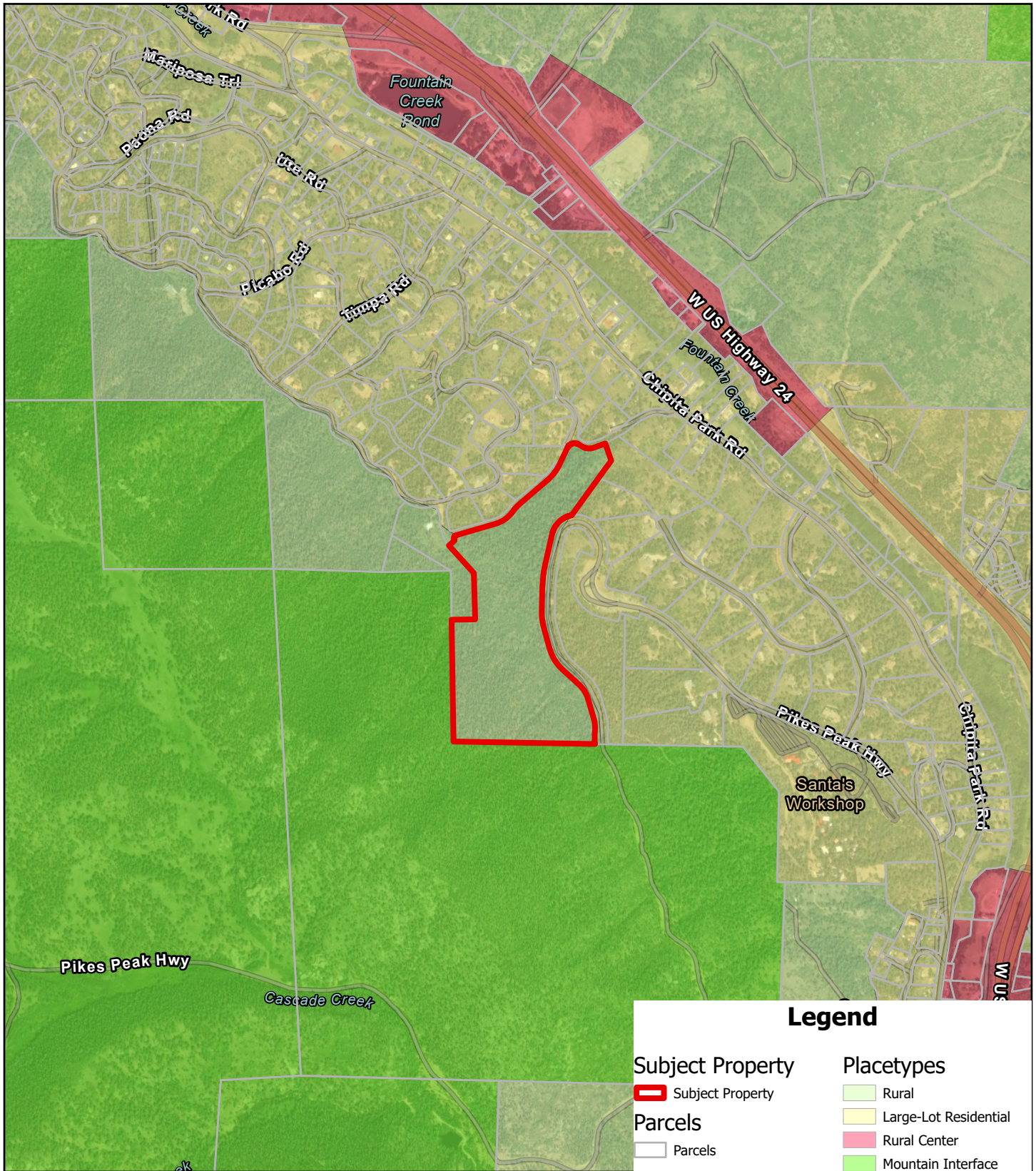


Aerial Map

File No. MS234



0 0.1 0.1 0.3 Miles



Legend

Subject Property	Rural
Parcels	Large-Lot Residential
	Rural Center
	Mountain Interface

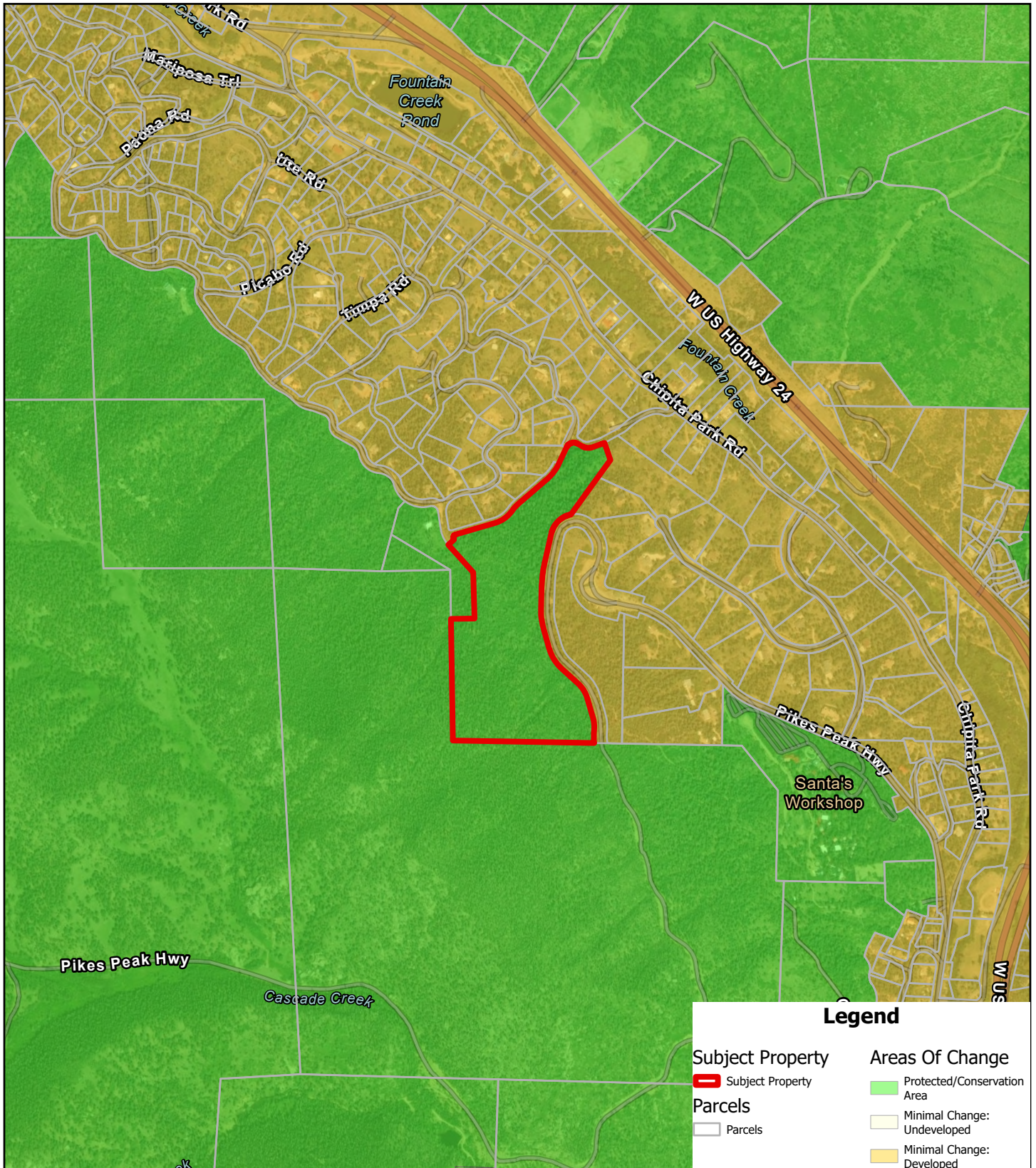


Placetype Map

File No. MS234



0 0.1 0.1 0.2 Miles

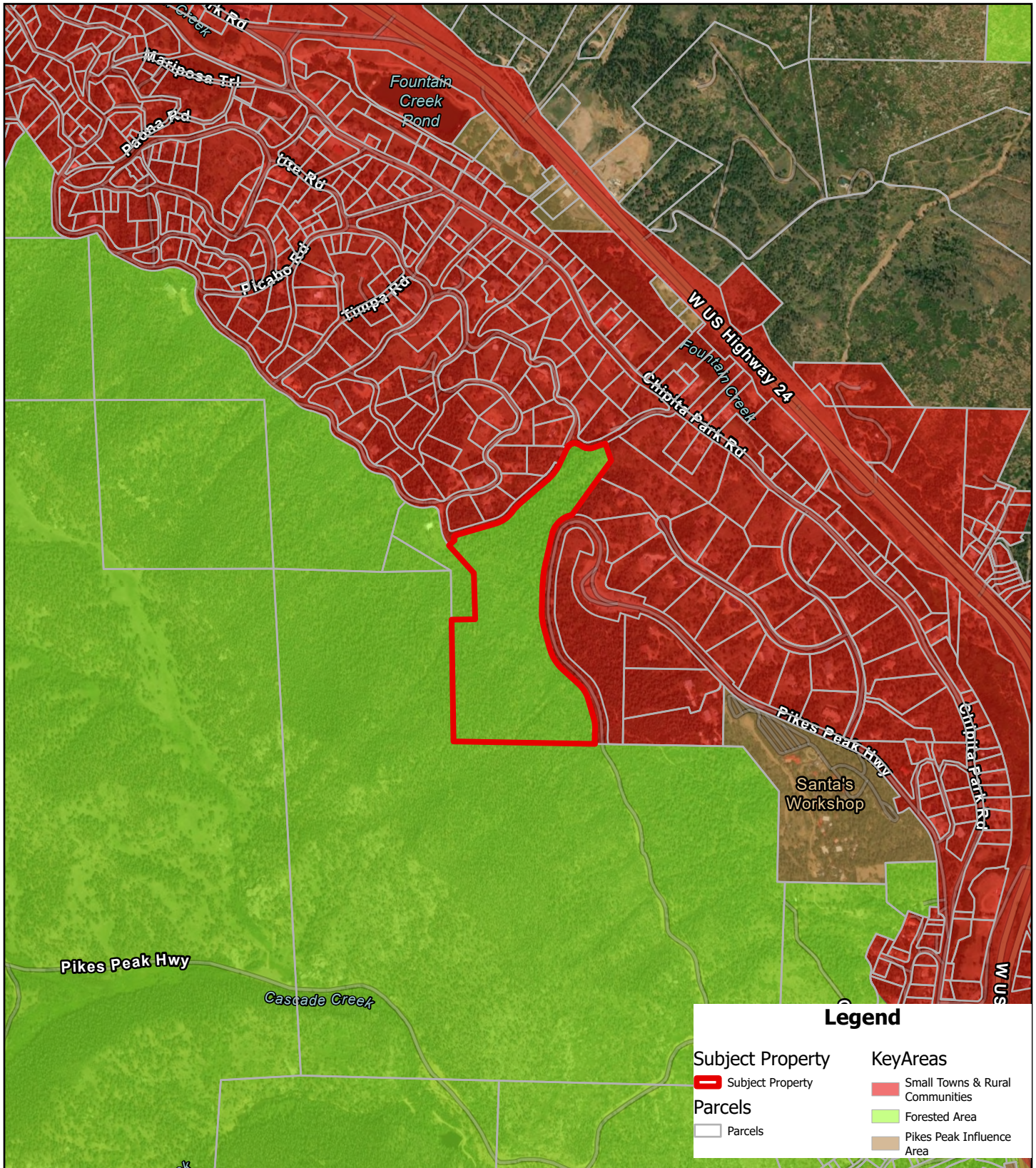


Area of Change

File No. MS234



0 0.1 0.1 0.2 Miles



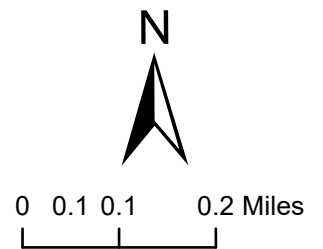
Legend

Subject Property	Small Towns & Rural Communities
Parcels	Forested Area
	Pikes Peak Influence Area



Key Areas

File No. MS234





December 13, 2022

Ryan Howser, Planner III
El Paso County Planning & Community Development
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Re: Guntzelman Porcelain Pines Minor Subdivision Letter of Intent

Dear Mr. Howser:

The property owner would like to request approval of a minor subdivision for 5295 Kulsa Road, 5265 Kulsa Road and 5260 Kulsa Road, Colorado Springs, CO 80908. The parcel number is 8322200018. The property is currently zoned RT – Residential Topographic with no overlay zoning and would remain zoned as such with the approval of the minor subdivision. The subject site is currently vacant property and is 35.06 acres in size. Approval of the minor subdivision would allow the property to be subdivided into 3 single-family residential lots.

The approved minor subdivision would consist of three single-family residential lots of the following sizes: Lot 1: 10.20 acres, Lot 2: 12.28 acres, and Lot 3: 12.58 acres. The proposed subdivision layout shown on the final plat meets the following criteria for approval of a final plat, as outlined in the El Paso County Land Development Code.

- The proposed subdivision fits within the current zoning regulations and the El Paso County Master Plan. The plan identifies the proposed subdivision as a forested Key Area and a mountain interface Placetype. The plan recommends development be well managed against the necessity of preservation and protection of this unique environment area of the County. RT zoning allows for single-family detached houses on lots a min. 5-acres in size. The proposed subdivision also fits within the 2040 Major Transportation Corridor Plan. Mountain Road and Kulsa Road are shown as being a local road and will remain a local road into the future. Currently Mountain Road and Kulsa Road are paved. The proposed subdivision also fits within the Water Master Plan. The proposed subdivision will be served by Colorado Springs Utilities for water. This is an acceptable method of providing water to a subdivision per the Water Master Plan.
- Minor subdivision is a process for smaller subdivisions in lieu of preliminary/final plat process.
- The proposed subdivision is located within close proximity to Pike National Forest, Ranbow Falls Recreation Area, Bear Creek Nature Center and Regional Park, Chipita Park, and the Town of Green Mountain Falls. The Town of Green Mountain Falls is constructing Ute Pass Trail and manages several neighborhood

- parcs and a trail system connecting to the Pikes Peak North Slope Recreation Area. There are no planned future parks or trails in the vicinity of the proposed subdivision. Fees in lieu of land dedication will be paid at the time of plat recordation. This is in compliance with the El Paso County Parks Master Plan.
- The proposed subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and survey requirements of the County, with approval of the waiver requested and described below.
 - Colorado Springs Utilities will provide water service to the development within their Ute Pass Service Area, as described in the Colorado Springs Utilities commitment letter. This satisfies the requirements outlined in Chapter 8 of the El Paso County Land Development Code. This also fits within the El Paso County Water Master Plan.
 - Individual lots within the proposed subdivision will be served by Onsite Wastewater Treatment Systems (OWTS), which complies with the requirements outlined in Chapter 8 of the El Paso County Land Development Code.
 - A soils and geology report has been provided for the site and has been submitted with the final plat. The site was found to be suitable for the proposed development. Some areas of debris flow/debris fans, potentially unstable slopes, faults and seismicity, radon, and steep slopes were mentioned in the report; however, the proposed development can be achieved if these areas are avoided or properly mitigated.
 - Adequate drainage improvements will be provided for the proposed private driveways serving the proposed subdivision. Preliminary culvert sizing has been provided in the final drainage report. Future lot owners will be required to submit an engineered site plan at time of building permit. The engineered site plan shall depict house and driveway location, any additional culverts required based on these locations, and shall confirm the sizing of the culvert under the shared driveway.
 - Access to lots 1 through 3 within the proposed subdivision will be via a new private shared driveway off Kulsa Road. Maintenance and use responsibilities for the shared driveway have been outlined in the Access Easement and Maintenance Agreement that has been submitted with the minor subdivision application.
 - The proposed subdivision will generate approximately 10 am, 5 pm, and 52 daily trips. Per the El Paso County Engineering Criteria Manual, a Traffic Impact Study is not required if daily vehicle trip is less than 100 or the peak hour trip generation is less than 10.
 - Necessary services including police and fire protection, recreation, utilities, and transportation systems are available to serve the proposed subdivision.
 - A fire protection and wildfire mitigation report has been submitted with the final plat. The report outlines steps to be taken for fire protection and mitigation. Cascade Fire Department provided a commitment letter stating they will continue to provide services to this property and that all water supply shall meet the NFPA standards for fire suppression. Each driveway to a private residence shall be constructed to meet the requirements outlined in Chapter 6 of the El Paso County Land Development Code, as well as, the requirements of Cascade Fire Department.

- There are no off-site improvements anticipated with the proposed subdivision.
- There are no adverse impacts to public facilities or infrastructure from the proposed subdivision.
- The proposed subdivision meets all other applicable sections of Chapter 6 and 8 of the El Paso County Land Development Code, with approval of the waiver identified below.
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision.
- The surrounding area consists of large lot development, so this proposed subdivision fits within that. There are no potential impacts from this proposed development to the surrounding area.
- The applicant mailed notification letters, describing the proposed development, to adjacent neighbors.

Requested Waivers:

- Waiver 1: Section 8.4.3.B.2.E of the LDC states that all lots shall have a minimum frontage of 30' on and have access to a public road. Not all lots will have direct frontage to a public road, due to the topography of the site and limited adjacent public roads to gain access from.

The intent of the aforementioned waiver is to provide safe and reasonable access to the proposed subdivision, without significantly altering the natural environment. The requested waiver deals with lot configuration and meets all other intents of the Land Development Code.

Section 7.3.3 of the Land Development Code identifies the following criteria for approval of waivers:

- **The waiver does not have the effect of nullifying the intent and purpose of this Code:** The waiver allows an adjustment to the lot configuration, but all other aspects of the code remain intact.
- **The waiver will not result in the need for additional subsequent waivers:** With approval of this waiver, no subsequent waiver requests are anticipated.
- **The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property:** With the negligible effect on traffic in the area, due to the proposed subdivision, the waivers will not be detrimental to the public safety, health or welfare or injurious to other property.
- **The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property:** This property is heavily forested with steep terrain and there is minimal public roadway frontage available. Most other properties do not have these challenges.

- **A particular non-economical hardship to the owner would result from a strict application of this Code:** Not approving the requested waiver would require the lots to be reconfigured and would create flag lots. There is very little public roadway frontage adjacent to the site for the lots to gain access from. The existing terrain also makes it challenging for all the lots to have frontage along public roadway.
- **The waiver will not in any manner vary the zoning provisions of this Code:** The waiver is in regards to public roadway frontage. All other zoning aspects for R-T (Rural Topographic) will remain intact for the proposed subdivision.
- **The proposed waiver is not contrary to any provision of the Master Plan:** The proposed waiver is consistent with the Master Plan and the requirements for forested key area and mountain interface placetype. The intent of these key areas and placetypes are to preserve and protect this unique environment. Approving the waiver allows less land, and native vegetation, to be disturbed. Thus, preserving and protecting the unique environment.

Questions regarding the proposed minor subdivision can be directed to the following individuals:

Consultant

Brett Louk
 SMH Consultants
 620 N. Tejon St., Ste. 201
 Colorado Springs,
 Colorado 80903
 719-465-2145
blouk@smhconsultants.com

Owner

Kristian & Christa Guntzelman
 5381 Sugar Camp Road
 Milford, OH 45150
 513-722-4343
kristian.guntzelman@me.com

The property owners would greatly appreciate your consideration of this request.

Sincerely,



Brett Louk, PE
 SMH Consultants

GUNTZELMAN PORCELAIN PINES SUBDIVISION

Final Plat
PART OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 13 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS:
That the undersigned, Kristian & Christa Guntzelman, being the owner of the following described tract of land:

DESCRIPTION:
A portion of the parcel described in that Quitclaim Deed, recorded January 22, 2020 under Reception No. 220009194, in the Official Public Records of El Paso County, Colorado, located in the Northwest 1/4 of Section 22, Township 13 South, Range 68 West, of the 6th P.M., being more particularly described as follows:

COMMENCING at the Center 1/4 Corner of said Section 22; thence along the south line of the Southeast 1/4 of the Northwest 1/4 of said Section 22, N88°57'03"W, (Bearings are based on the south line of the Southeast 1/4 of the Northwest 1/4 of said Section 22, monumented at the Center 1/4 Corner of said Section 22 by a 1" iron pipe with a 2-1/2" brass cap stamped "1938 U.S. GENERAL LAND OFFICE SURVEY", 0.5' above grade and monumented at the West Center 1/16 Corner by a 1" iron pipe with a 2-1/2" brass cap stamped 1938 U.S. GENERAL LAND OFFICE SURVEY", flush with grade, having a measured bearing of N88°57'03"W, a distance of 1301.48 feet), a distance of 234.34 feet to the southeast corner of said parcel, being the POINT OF BEGINNING; thence continuing along said south line of the Southeast 1/4 of the Northwest 1/4 of said Section 22, N88°57'03"W, a distance of 1067.14 feet to the West 1/16 Corner of said Section 22; thence along the North-South Center line of the Northwest 1/4 of said Section 22, N01°07'31"W, a distance of 632.25 feet; thence leaving said North-South Center line, N41°49'19"W, a distance of 236.32 feet to a point on south right-of-way line of Nampa Road; thence along the south right-of-way line of said Nampa Road, the following seven (7) courses:

1. N48°13'23"E, a distance of 60.11 feet;
2. along the arc of a non-tangent curve to the right, whose center bears N48°07'42"E, having a radius of 23.65 feet, a central angle of 115°53'06", a distance of 47.83 feet;
3. N73°46'14"E, a distance of 315.39 feet;
4. along the arc of a non-tangent curve to the left, whose center bears N16°10'04"W, having a radius of 245.85 feet, a central angle of 38°16'52", a distance of 164.26 feet;
5. along the arc of a reverse curve to the right, whose center bears S54°53'21"E, having a radius of 303.82 feet, a central angle 14°10'10", a distance of 74.33 feet;
6. N49°31'01"E, a distance of 285.03 feet;
7. along the arc of a non-tangent curve to the left, whose center bears N40°28'22"W, having a radius of 364.10 feet, a central angle of 23°57'4", a distance of 152.22 feet, to a point on the southeast line of that Right-of-Way Vacation recorded under Book 3122 Page 624 in the Official Public Records of El Paso County, Colorado;

Thence continuing along said southeast line of said Right-of-Way Vacation, N25°35'01"E, a distance of 134.87 feet to a point on the south right-of-way line of Nampa Road; thence along said south right-of-way line, the following five (5) courses:

1. along the arc of a non-tangent curve to the right, whose center bears S64°28'18"E, having a radius of 69.80 feet, a central angle of 96°53'57", a distance of 99.76 feet;
2. S58°29'49"E, a distance of 40.03 feet;
3. along the arc of a non-tangent curve to the left, whose center bears N31°15'02"E, having a radius of 96.71 feet, a central angle of 48°28'43", a distance of 81.83 feet;
4. N72°58'37"E, a distance of 67.62 feet;
5. along the arc of a non-tangent curve to the left, whose center bears N12°19'30"W, having a radius of 96.71 feet, a central angle of 22°07'11", a distance of 37.34 feet, to a point on the west line of Pikes Peak Mountain Estates, recorded November 5, 2001 under Reception No. 201161507;

Thence continuing along said west line of Pikes Peak Mountain Estates, the following two (2) courses:

1. S18°49'36"E, a distance of 138.79 feet;
2. S35°59'27"W, a distance of 515.72 feet, to a point on the west right-of-way line of Pikes Peak Toll Road;

Thence continuing along said west right-of-way line of Pikes Peak Toll Road, the following, thirteen (13) courses:

1. Along the arc of a non-tangent curve to the left, whose center bears S11°39'01"E, having a radius of 136.42 feet, a central angle of 64°29'46", a distance of 217.73 feet;
2. S13°49'01"W, a distance of 216.22 feet;
3. along the arc of a non-tangent curve to the left, whose center bears S76°02'47"E, having a radius of 1005.40 feet, a central angle of 11°11'01"6", a distance of 198.03 feet;
4. S02°43'25"W, a distance of 173.36 feet;
5. Along the arc of a non-tangent curve to the left, whose center bears S97°14'50"E, having a radius of 460.30 feet, a central angle of 17°26'00", a distance of 140.06 feet;
6. S14°46'15"E, a distance of 167.06 feet;
7. Along the arc of a non-tangent curve to the left, whose center bears S74°40'19"E, having a radius of 838.00 feet, a central angle of 31°57'04", a distance of 188.49 feet;
8. S45°59'03"E, a distance of 171.85 feet;
9. Along the arc of a non-tangent curve to the right, whose center bears S43°26'18"E, having a radius of 238.00 feet, a central angle of 31°14'04", a distance of 729.74 feet;
10. S15°27'29"E, a distance of 155.45 feet;
11. Along the arc of a non-tangent curve to the right, whose center bears S74°31'58"E, having a radius of 238.00 feet, a central angle of 19°16'37", a distance of 60.21 feet;
12. S45°29'49"E, a distance of 466.77 feet;
13. along the arc of a non-tangent curve to the left, whose center bears S98°04'29"E, having a radius of 583.70 feet, a central angle of 69°00'56", a distance of 67.23 feet, to the POINT OF BEGINNING.

LESS

A tract of land in Northwest Quarter of Section 22, Township 13 South, Range 68 West of the 6th P.M., County of El Paso, Colorado described as follows:

Beginning at a point that is S 64°29'49" E 40.00 feet from the Northwest Corner of Lot 112, The UTE Pass Summer Homes Co Subdivision No. 1, El Paso County, Colorado, said point being on the Northwest Corner of the Right of Way Vacation recorded under Book 3122, Page 624 in the Official Public Records of El Paso County, Colorado, thence
S 94°24'50" W 27.90 feet to a point, thence
N 64°25'10" W 27.90 feet to the Northeast Corner of said Right of Way Vacation; thence
N 25°34'50" E 134.39 feet to the point of beginning, containing 3.768 square feet.

Subject to easements and restrictions of record.

For a total of 35.06 acres.

DEDICATION:

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 "GUNTZELMAN PORCELAIN PINES SUBDIVISION". All public improvements so plated are hereby dedicated to public use and said Owner, does hereby covenant and agree that the public improvements which are constructed by or provided for the benefit of the public use and enjoyment of the land, shall be maintained by 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. The entities responsible for providing the services for which the easements are established 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.

IN WITNESS WHEREOF:

The aforementioned Kristian & Christa Guntzelman, have executed this instrument this _____ day of _____, 20____ A.D.

KRISTIAN GUNTZELMAN _____ CHRISTA GUNTZELMAN _____

NOTARIAL:

STATE OF COLORADO)
) SS
The foregoing instrument was acknowledged before me this _____ day of _____, 20____ A.D. by KRISTIAN & CHRISTA GUNTZELMAN

Witness my hand and seal _____
Address _____

My Commission expires _____

RECORDINGS:

STATE OF COLORADO)
) SS

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, State of Colorado.

By: _____ El Paso County Clerk and Recorder _____ Date _____

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

This Plat GUNTZELMAN PORCELAIN PINES SUBDIVISION was approved for filing by the El Paso County, Colorado Board of County Commissioners on the _____ day of 20____, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public easements are accepted, but public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual.

Chair, Board of County Commissioners _____ Date _____

Director, Planning and Community Development Department _____ Date _____

NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS 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 CERTIFICATION SHOWN HEREON.

ENVIRONMENTAL:

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 DEPARTMENT OF ENVIRONMENT AND NATURE, THE U.S. FISH & WILDLIFE SERVICE, AND THE U.S. FISH & WILDLIFE SERVICE REGARDING THE ENDANGERED SPECIES ACT PARTICULARLY AS IT RELATES TO THE LISTED SPECIES (E.G. PREBLE'S MEADOW JUMPING MOUSE).

EASEMENTS:

AS SHOWN ON THIS INSTRUMENT, ALL SIDE, FRONT, AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 16 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 20-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SALE RESPONSIBILITY FOR THE MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.

ALL PUBLIC UTILITY EASEMENTS DEDICATED VIA THIS PLAT, ARE SUBJECT TO COLORADO SPRINGS UTILITIES TERMS AND CONDITIONS RECORDED AT RECEPTION NO. 212115948 OF THE RECORDS OF EL PASO COUNTY CLERK AND RECORDER.

1. EASEMENTS, RESTRICTIONS, RESERVATIONS, SETBACKS, OR OTHER MATTER OF RECORD, IF ANY, AFFECTING THE TITLE OF THIS PROPERTY ARE SHOWN EXCEPT AS PLATED, AS PER AGREEMENT WITH THE LANDOWNER.
2. NO GAPS OR OVERLAPS EXIST.
3. THERE ARE NO LINES OF POSSESSION THAT AFFECT THIS SURVEY.
4. PARENT TRACT IS RECORDED AS RECEPTION NO. 291114676, CLERK AND RECORDERS OFFICE, EL PASO COUNTY, COLORADO.
5. ALL BUILDING SETBACK REQUIREMENTS SHALL BE DETERMINED BY THE ZONING DISTRICT, UNLESS OTHERWISE NOTED.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SMH CONSULTANTS, TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR INFORMATION REGARDING OWNERSHIP OR RIGHT OF WAY, SMH CONSULTANTS RELIED UPON THE TITLE POLICY PREPARED BY LAND TITLE GUARANTEE COMPANY, ORDER # SRS050659, DATED JUNE 9, 2022.
7. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SMH CONSULTANTS, TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR INFORMATION REGARDING OWNERSHIP OR RIGHT OF WAY, SMH CONSULTANTS RELIED UPON THE LAND OFFICE SURVEY AND ASSUMED TO BEAR NORTH 88 DEGREES 58 MINUTES 46 SECONDS WEST, 1301.48 FEET.
8. BASIS OF BEARINGS IS THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 13 SOUTH, RANGE 68 WEST, MONUMENTED AT THE GENERAL LAND OFFICE SURVEY, 0.5' ABOVE GRADE AND AT THE WEST 1/16 CENTER CORNER BY A 1" IRON PIPE WITH A 2-1/2" BRASS CAP STAMPED "1938 U.S. GENERAL LAND OFFICE SURVEY" AND ASSUMED TO BEAR NORTH 88 DEGREES 58 MINUTES 46 SECONDS WEST, 1301.48 FEET.
9. SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY HEALTH AND ENVIRONMENT DEPARTMENT MUST BE CONSULTED FOR INFORMATION REGARDING THE PERMITS AND REQUIREMENTS FOR AN ENGINEER-DESIGNED SYSTEM PRIOR TO PERMITTING APPROVAL.
10. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER DRAINAGE. FAILURE TO MAINTAIN PROPER DRAINAGE CAN RESULT IN DAMAGE TO ADJACENT PROPERTIES. EASEMENTS AS SPECIFICALLY NOTED ON THIS PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPIDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
11. DUE TO WILDFIRE CONCERNS, THE PROPERTY OWNER IS ENCOURAGED TO INCORPORATE WILDFIRE FUEL BREAK PROVISIONS AS RECOMMENDED BY THE COLORADO STATE FIRE SERVICE. FENCES AND STRUCTURES INSTALLED THROUGH PUBLICATIONS AVAILABLE THROUGH THE STATE FOREST SERVICE.
12. DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN OBTAINED FROM THE EL PASO COUNTY PUBLIC WORKS DEPARTMENT. ALL NECESSARY DRAINAGE UTILITIES PER LAND DEVELOPMENT CODE SECTION 6.3.3.2 AND 6.3.3.3, DUE TO THEIR LENGTH, SOME OF THE DRIVEWAYS WILL NEED TO BE SPECIFICALLY APPROVED BY THE CASCADE FIRE PROTECTION DISTRICT.
13. NO STRUCTURES OR MAJOR MATERIAL STORAGE ACTIVITIES ARE PERMITTED WITHIN THE DESIGNATED DRAINAGE EASEMENTS, EXCEPT FENCES, FENCES SHALL NOT IMPIDE RUNOFF FROM REACHING DRAINAGE SWALES.
14. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO. NATURAL DRAINAGE LOCATIONS SHALL BE MODIFIED BY CONSTRUCTION AND SITE-SPECIFIC FOUNDATION/SEPTIC INVESTIGATIONS SHALL BE REQUIRED.
15. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND THE UNITED STATES POSTAL SERVICE REGULATIONS.
16. THE ADDRESSES SHOWN ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY, THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
17. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED AND ARE ON FILE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: DRAINAGE REPORT, WATER RESOURCES REPORT, WASTEWATER DISPOSAL REPORT, GEOLOGY AND SOILS REPORT, FIRE PROTECTION REPORT, WILDLIFE AND FIRE HAZARD ASSESSMENT REPORT, WILDLIFE MANAGEMENT REPORT, WILDLIFE TENDERS REPORT, AND WILDLIFE REPORT.
18. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND OR RESOURCE, OR VIOLATES ANY PROVISION OF THE COLORADO CONSTITUTION OR CLASS TWO (2) MISDEMEANOR PURSUANT TO C.R.S. § 184-508.
19. THERE SHALL BE NO DIRECT LOT ACCESS TO PIKES PEAK HIGHWAY.
20. ACCESS TO ALL LOTS SHALL BE THROUGH THE SHOWN ACCESS EASEMENT. THE RESPONSIBILITY AND MAINTENANCE OF SAID EASEMENT IS SUBJECT TO THE MAINTENANCE AGREEMENT AND ALL COVENANTS AND RESTRICTIONS CONTAINED THEREIN AS RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY CLERK AND RECORDER.
21. THE SUBDIVIDER(S) AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUYER SUCCESSORS AND ASSIGNEES THAT SUBDIVIDER/AND/OR SELLER SHALL MAINTAIN AND CLEAR AWAY ALL BRUSH, VINES, AND BRUSH ON THE LOT, VINES, BRUSH AND BRUSH ON THE ADJACENT TO THE UTILITY EASEMENT WHENEVER, IN THE ACCORDANCE WITH EL PASO COUNTY ROAD IMPACT FEE PROGRAM RESOLUTION (RESOLUTION NO. 19471), OR ANY AMENDMENTS THERETO, AT OR PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTALS. THE FEE OBLIGATION, IF NOT PAID AT FINAL SALE OF THE BUILDING, SHALL BE THE RESPONSIBILITY OF THE BUYER. THE BUYER NOTES TO ENSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY.
22. ALL SPECIFIC SURVEY/AREA SOIL INVESTIGATION WILL BE REQUIRED FOR ALL PROPOSED BUILDING STRUCTURES INCLUDING (BUT NOT LIMITED TO) RESIDENCES, RETAINING WALLS, ETC. NO BASEMENTS OR INHABITABLE BELOW-GRADE AREAS ARE ALLOWED UNLESS GROUNDWATER MONITORING (THROUGH THE ANNUAL SEASONAL MONITORING PROGRAM) IS CONDUCTED AND FOUND TO BE SATISFACTORY. THESE AREAS CAN MAINTAIN 3-5 FEET BETWEEN THE BOTTOM OF THE FOUNDATION AND THE GROUNDWATER, OR SITE GRADING INDICATES THAT IT WILL MITIGATE THE DEPTH TO GROUNDWATER.
23. INDIVIDUAL LOTS SHALL SUBMIT AN ENGINEERED SITE PLAN AT THE TIME OF BUILDING PERMIT APPLICATION.
24. THIS SUBDIVISION HAS BEEN FOUND TO BE PARTIALLY IMPACTED BY GEOLOGIC CONSTRAINTS DUE TO POTENTIALLY UNSTABLE SLOPES AND SLOPES GREATER THAN 30%. NO BUILDING, NO SEPTIC SYSTEM AND NO CONSTRUCTION DISTURBANCE IS PERMITTED WITHIN THE AREAS OF IDENTIFIED GEOLOGIC CONSTRAINTS. SEE THE ATTACHED GEOLOGIC CONSTRAINTS MAP FOR MORE INFORMATION. PREPARED BY RIMM-ROCKY MOUNTAIN GROUP, ENGINEER DATED DECEMBER 14, 2023.
25. FUTURE OWNERS OF LOTS 1-3 ARE RESPONSIBLE FOR OBTAINING A WETLANDS Delineation Report, and a Wetland Mitigation Plan, IF REQUIRED FROM THE U.S. CORPS OF ENGINEERS AT THE TIME OF BUILDING PERMIT.
26. EASEMENT DESCRIBED IN BOOK 3113, PAGE 392 IS A NON-PLOTTABLE ITEM THAT COULD AFFECT THE SUBJECT PROPERTY.
27. THE SUBDIVIDER/DEVELOPER IS RESPONSIBLE FOR EXTENDING ACCESS AND UTILITIES TO EACH LOT, TRACT OR BUILDING SITE.
28. WATER AND ELECTRIC SERVICE FOR THIS SUBDIVISION IS PROVIDED BY COLORADO SPRINGS UTILITIES SUBJECT TO THE PROVIDERS' RULES, REGULATIONS AND SPECIFICATIONS.
29. GAS SERVICE FOR THIS SUBDIVISION IS PROVIDED BY BLACK HILLS ENERGY SUBJECT TO THE PROVIDERS' RULES, REGULATIONS AND SPECIFICATIONS.
30. PER GAS SECTION 17.1.B.5, THE RESIDENTIAL LOTS IMPROVEMENTS AREA MAY NOT EXCEED 08% UNLESS A STUDY IS PREPARED IN COMPLIANCE WITH THE REQUIREMENTS LAID OUT IN THE ABOVE EGM SECTION AND THE IMPROVEMENTS AREA MAY NOT EXCEED 20%. THIS IMPROVEMENTS AREA FOR EACH LOT MUST INCLUDE THE PROPOSED DRIVEWAY.

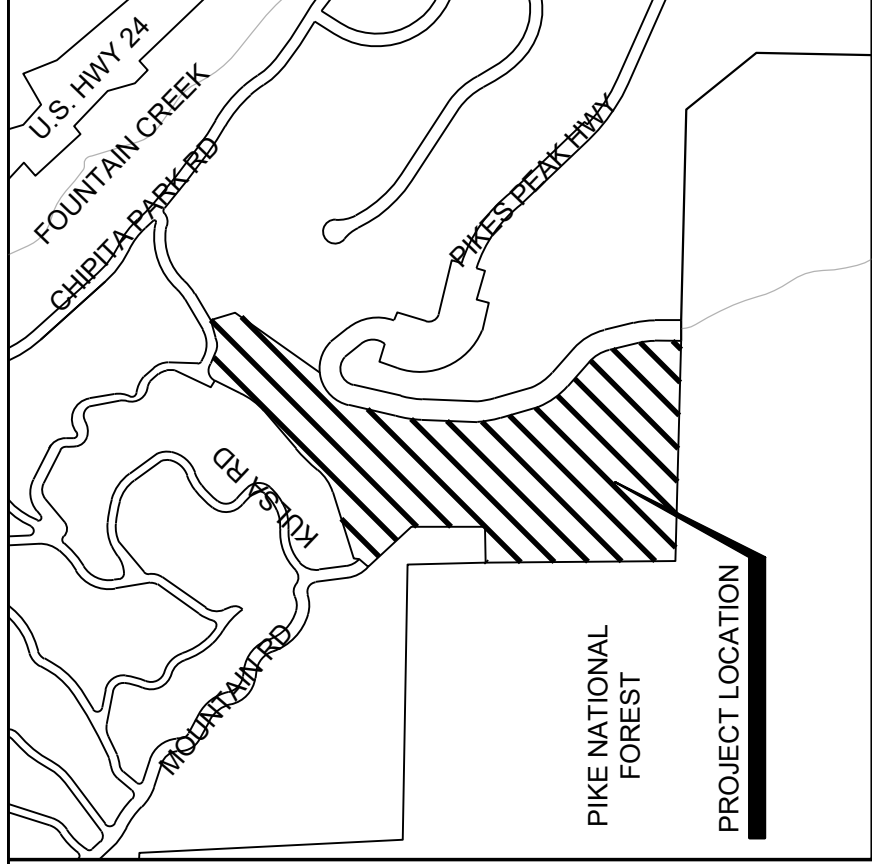
SOIL AND GEOLOGY CONDITIONS:

THE FOLLOWING LOTS HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS. MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE SOILS & GEOLOGY REPORT ATTACHED TO THIS INSTRUMENT. THE REPORT IS AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT:

- STEEP SLOPES: LOTS 1-3
- DEBRIS FLOWS AND DEBRIS FANS: LOTS 1 & 3
- FAULTS AND SEISMICITY: LOTS 1-3

IN AREAS OF HIGH GROUNDWATER, DUE TO HIGH GROUNDWATER IN THE AREA, ALL FOUNDATIONS SHALL INCORPORATE AN UNDERGROUND DRAINAGE SYSTEM.

LONG TERM CUT SLOPES IN THE UPPER SOIL SHALL BE LIMITED TO NO STEEPER THAN 3:1 (HORIZONTAL TO VERTICAL) FOR ALL LOTS.



VICINITY MAP
(NOT TO SCALE)

DATE SUBMITTED: 01/04/2024
REVISIONS:

Civil Engineering • Land Surveying • Landscape Architecture
www.smhconsultants.com

Manhattan, KS • HQ P: (785) 776-0541 • Dodge City, KS P: (620) 265-1952
Kansas City, KS P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

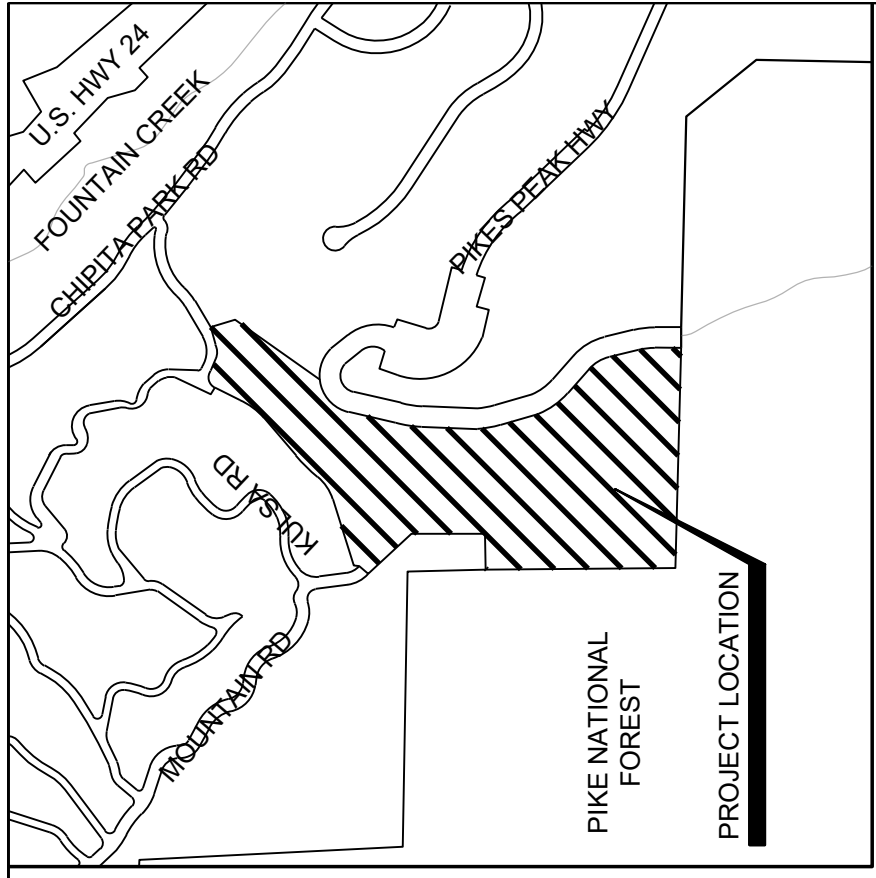
Drawn By: JAM Project #2107-0307 DD #1 DS07 PCD File #MS234

JANUARY 2024

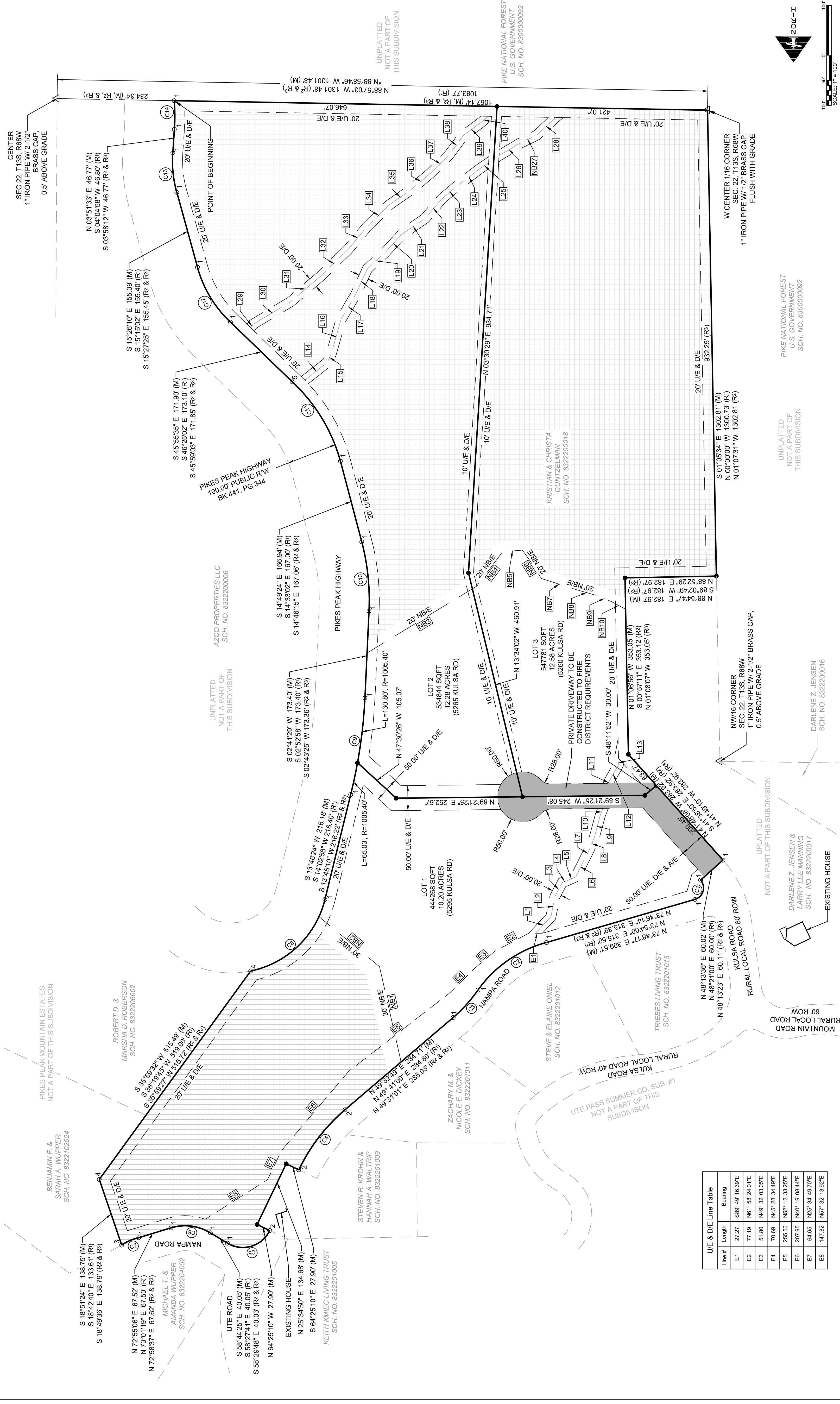
Final Plat

GUNTZELMAN PORCELAIN PINES SUBDIVISION

PART OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 13 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



VICINITY MAP
(NOT TO SCALE)



PROPERTY LINE CURVE DATA (M)						
CURVE#	RADIUS	ARC	CHORD	DELTA	BEARING	
C1	23.65	47.70	40.06	119.4620°	S 16°10'33" W	
C2	245.85	169.59	166.62	39°36'59"	N 55°16'26" E	
C3	303.82	74.43	74.25	14°02'13"	S 42°04'32" W	
C4	384.10	152.45	151.34	23°59'24"	N 37°13'37" E	
C5	59.60	99.60	88.41	95°44'58"	S 73°25'40" W	
C6	96.71	81.76	70.35	49°20'25"	S 82°50'32" E	
C7	96.71	37.25	37.02	22°04'15"	N 66°40'32" E	
C8	193.42	217.52	206.23	64°26'00"	S 46°00'31" W	
C9	1005.40	195.84	195.63	11°09'38"	S 08°22'33" W	
C10	460.30	140.08	139.54	17°26'11"	N 70.59	S 05°56'13" E
C11	338.00	188.35	185.92	31°55'41"	S 66.60	S 31°19'00" E
C12	238.00	129.45	127.86	31°09'51"	S 66.37	N 30°59'04" W
C13	238.00	80.20	79.82	19°28'19"	S 40.49	N 05°47'46" W
C14	363.70	57.31	57.25	9°01'44"	S 28.72	S 00°24'16" E

PROPERTY LINE CURVE DATA (R)					
CURVE#	RADIUS	ARC	CHORD	DELTA	BEARING
C1	23.65	47.70	40.06	115°33'00"	N 16°07'30" E
C2	245.85	164.27	164.27	38°17'00"	N 54°45'30" E
C3	303.82	74.59	74.59	14°34'00"	N 42°39'00" E
C4	384.10	152.09	152.09	23°56'00"	N 37°43'00" E
C5	59.60	99.64	88.41	95°47'19"	N 73°38'40" E
C6	96.71	81.89	70.35	48°31'00"	S 82°43'11" E
C7	96.71	37.29	37.29	12°14'00"	N 66°54'19" E
C8	193.42	217.62	217.62	64°27'52"	S 46°16'54" W
C9	1005.40	185.96	185.96	11°10'00"	S 08°27'58" W
C10	460.30	140.08	139.54	17°26'00"	S 05°50'02" E
C11	338.00	187.99	187.99	31°52'00"	S 30°29'02" E
C12	238.00	129.46	129.46	31°10'00"	S 30°50'02" E
C13	238.00	80.31	79.82	19°20'00"	S 05°53'02" E
C14	363.70	57.31	57.25	9°03'37"	S 01°38'09" W

PROPERTY LINE CURVE DATA (R & R')					
CURVE#	RADIUS	ARC	CHORD	DELTA	BEARING
C1	23.65	47.83	40.06	115°33'06"	N 16°07'42" E
C2	245.85	164.26	164.26	38°16'52"	N 54°45'30" E
C3	303.82	74.33	74.33	14°01'04"	S 42°04'32" E
C4	384.10	152.22	152.22	23°57'14"	N 37°13'37" E
C5	59.60	99.67	88.41	95°53'57"	S 73°25'40" W
C6	96.71	81.83	70.35	48°28'33"	N 73°38'40" E
C7	96.71	37.34	37.34	22°07'11"	N 66°40'32" E
C8	193.42	217.73	217.73	64°29'48"	S 46°16'54" W
C9	1005.40	186.03	186.03	11°10'16"	S 08°22'37" E
C10	460.30	140.06	139.54	17°26'00"	S 05°50'02" E
C11	338.00	188.49	188.49	31°57'04"	S 30°59'04" W
C12	238.00	129.74	129.74	31°14'04"	S 30°50'02" E
C13	238.00	80.21	79.82	19°19'37"	S 05°47'46" W
C14	363.70	57.23	57.23	9°00'56"	S 00°24'16" E

DATE SUBMITTED: 01/04/2024
REVISIONS:

OWNER:
KRISTIAN & CHRISTA GUNTZELMAN
5381 SUGAR CAMP ROAD
MILFORD, OH 45150
513-722-4543

SURVEYOR:
TIM SLOAN, VICE-PRESIDENT
SMH CONSULTANTS, P.A.
620 NORTH TELON STREET, STE 201
COLORADO SPRINGS, CO 80903
719-465-2145

ENGINEER:
BRETT LOUK
SMH CONSULTANTS, P.A.
620 NORTH TELON STREET, STE 201
COLORADO SPRINGS, CO 80903
719-465-2145

TOTAL ACREAGE:
LOT 1 = 10.20 ACRES
LOT 2 = 12.58 ACRES
LOT 3 = 12.58 ACRES
TOTAL = 35.36 ACRES

SERVICE PROVIDERS:
CASCADE FIRE PROTECTION DISTRICT
COLORADO SPRINGS UTILITIES
BLACK HILLS ENERGY
INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

FEES:
PARK FEE: \$1940
SCHOOL FEE: N/A
DRAINAGE FEE: N/A
BRIDGE FEE: N/A

LEGEND

- 1/2" x 24" Rebar w/PLS 33874 Cap Set
- Found GLO Monument (As Noted)
- Basis of Bearing
- Curve Number
- Measured Dimension
- Recorded Dimension - Quotation Dated January 17, 2020 recorded under Rec. No. 220009184
- Recorded Dimension - Land Survey Plat by Clark Land Surveying, Inc. dated May 25, 2021
- Recorded Dimension - Warranty Deed dated June 11, 2021 recorded under Rec. No. 221114676
- Public Utility, Public Drainage & Private Access Easement
- No Build Area
- No Build Easement

LINE TYPE LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- PUBLIC UTILITY, DRAINAGE & ACCESS EASEMENT LINE
- UTILITY & DRAINAGE EASEMENT LINE
- NO BUILD EASEMENT LINE

D/E Centerline Table		
Line #	Length	Bearing
L32	77.27	N45°49'00.03"E
L33	60.37	N39°41'09.49"E
L34	61.71	N49°48'16.85"E
L35	52.52	N54°59'32.88"E
L36	51.12	N49°47'42.48"E
L37	52.34	N45°15'06.77"E
L38	48.12	N38°42'05.97"E
L39	40.06	N53°43'36.77"E
L40	22.02	N49°57'27.68"E

D/E Centerline Table		
Line #	Length	Bearing
L21	65.35	N65°42'00.53"E
L22	52.48	N40°37'53.02"E
L23	41.02	N49°48'16.85"E
L24	55.32	N53°03'27.40"E
L25	20.70	N65°49'58.34"E
L26	46.52	N39°12'28.17"E
L27	58.79	N30°14'00.97"E
L28	8.40	N33°11'02.39"E
L29	87.83	N39°06'31.89"E
L30	76.01	N49°33'15.90"E

D/E Centerline Table		
Line #	Length	Bearing
L11	2.54	N9°28'08.28"E
L12	38.80	N39°19'08.79"E
L13	12.16	N10°30'44.62"E
L14	57.67	N51°45'08.99"E
L15	18.62	N24°19'11.82"E
L16	71.03	N15°49'22.80"E
L17	73.24	N27°01'46.59"E
L18	55.83	N24°33'07.37"E
L19	47.33	N47°30'05.67"E
L20	50.08	N42°29'58.47"E

D/E Line Table		
Line #	Length	Bearing
NB1	196.47	S17°42'37.47"E
NB2	157.05	S05°36'42.37"E
NB3	256.91	N59°39'42.54"E
NB4	86.03	N39°57'54.44"E
NB5	39.54	N85°09'37.51"E
NB6	45.14	S32°56'46.85"E
NB7	73.37	S72°12'28.48"E
NB8	41.83	S72°50'50.50"E
NB9	32.71	S67°44'32.74"E
NB10	31.71	S81°32'16.79"E

U/E & D/E Line Table		
Line #	Length	Bearing
E1	27.27	S89°49'16.39"E
E2	77.19	N61°58'40.17"E
E3	51.80	N49°52'03.05"E
E4	70.69	N45°28'34.49"E
E5	255.50	N52°12'33.25"E
E6	207.95	N40°19'06.44"E
E7	64.65	N25°34'49.79"E
E8	147.82	N27°32'13.92"E



February 29, 2024

Ryan Howser
El Paso County Planning and Community Development
Transmission via EDARP portal

**Re: Guntzelman Porcelain Pines Minor Subdivision
EA21182 MS234
Sec. 22, T13S, R68W, 6th P.M.
CDWR Assigned Subdivision No. 30365**

Dear Ryan Howser;

We have reviewed your January 5, 2024 submittal concerning the above referenced proposal to subdivide 36.15 acres into 3 lots. ranging in size from 10 acres to 12.6 acres.

Water Supply Demand

According to the submittal, the proposed uses and estimated water requirements for the three lots are per lot: 0.26 AF/year for household use, 13,000 square feet of lawn and gardens at 0.0566 AF/year/1000 square feet and a stock watering demand of 0.011 AF/year per animal. The total for all 3 lots is 3.05 AF/year.

Source of Water Supply

The source of water for the proposed development is to be served by Colorado Springs Utilities (“CSU”). A letter dated February 16, 2024 from CSU was included with the submittal, which states that the proposed subdivision is within CSU’s satellite water distribution system, known as the Ute Pass Service Area. CSU has committed to provide 3.05 acre-feet per year to this subdivision, contingent upon the property meeting specific criteria.

Additional Comments

Should the project will collect storm flows in a detention pond, the applicant should be aware that, unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

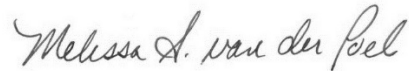


State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I) and Section 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.

Should you have any questions, please contact me at 303-866-3581.

Sincerely,



Melissa A. van der Poel, P.E.
Team Leader, Team 237

Cc: CDWR subdivision file 30365
Rachel Zancanella, Division Engineer
Elizabeth Nosker, Deputy Water Commissioner District 10
Martha Archuleta, Water Data Analyst

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

March 5, 2024

MS-23-4 Guntzelman Porcelain Pines Subdivision
Minor Subdivision

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 Kristian and Christa Guntzelman (“Applicant”) to subdivide the existing 35.16 acres into 3 single-family residential lots. The property is currently zoned RT (Residential-Topographic).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the annual subdivision demand is 3.05 total annual acre-feet, comprised of 0.78 annual acre-feet for domestic use (0.26 acre-feet per lot), 2.207 annual acre-feet for irrigation (0.74 acre-feet per lot) and 0.066 annual acre-feet for animal watering (0.011 per head). Based on this, the Applicant must provide a supply of 915 acre-feet of water (3.05 acre-feet/year x 300 years) to meet the County’s 300-year water supply requirement for the subdivision.

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY
DOREY L. SPOTTS

LORI L. SEAGO

BRYAN E. SCHMID
STEVEN W. MARTYN

TERRY A. SAMPLE
MERI GERINGER

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from Colorado Springs Utilities (“CSU”). As identified in the *Water Resources Report* (“Report”) dated November 2023, the annual water demand for the development is 3.05 acre-feet per year. Per information obtained from CSU, CSU is able to supply a total of 95,000 acre-feet per year while meeting the goal of maintaining indoor water demand 100% of the time. In 2015, the most recent year for which information was available, water demand totaled less than 70,000 acre-feet for a population of 470,513. Based on these figures, the Report calculated an estimated demand of 75,673 acre-feet for a population of 498,879 in 2021.

4. CSU provided a letter dated February 16, 2024, stating that “CSU has available water supplies to serve the amounts needed to meet the estimated demand of 3.05 ac/ft per year and can provide water service to the Property. . . .”

State Engineer’s Office Opinion

5. In a letter dated February 29, 2024, the State Engineer reviewed the application to subdivide the 35.16-acre tract into 3 lots. The State Engineer confirmed that CSU has sufficient water resources to supply this development. Further, the State Engineer states that “[b]ased upon the above and pursuant to Section 30-28-136(1)(h)(II) and Section 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 Guntzelman Porcelain Pines is 3.05 acre-feet per year to be supplied by Colorado Springs Utilities. **Based on the water demand of 3.05 acre-feet/year for the development and CSU’s availability of water sources, the County Attorney’s Office recommends a finding of sufficiency as to water quantity and dependability for Guntzelman Porcelain Pines.**

7. **Quality.** Section 8.4.7(B)(10)(g) of the El Paso County Land Development Code allows for a presumption of water quality when water is supplied from an existing Community Water Supply operating in conformance with the 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 November 2023, the *Colorado Springs Utilities* letter dated February 16, 2024, and the *State Engineer’s Office Opinion* dated February 29, 2024. 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 requirement not be met, the***

County Attorney's Office reserves the right to amend or withdraw its recommendations.

REQUIREMENTS:

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

cc: Ryan Howser, Project Manager, Planner

FINAL PLAT (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. MS234

GUNTZELMAN PORCELAIN PINES SUBDIVISION

WHEREAS, Christa and Kristian Guntzelman did file an application with the El Paso County Planning and Community Development Department for approval of a Minor Subdivision Final Plat for the Guntzelman Porcelain Pines Subdivision, 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 May 16, 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 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 minor subdivision, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended):

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of the Land Development Code ("Code");
3. The subdivision is in conformance with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analysis, studies, reports, plans, designs, documents, and other supporting materials.
4. 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.
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 the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)].
7. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM") are provided by the design.
8. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.
9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County and in compliance with the Code and the ECM.

10. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.
11. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
13. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the 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 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 SIA so the impacts of the subdivision will be adequately mitigated.
16. 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 Christa and Kristian Guntzelman for a Minor Subdivision Final Plat of the Guntzelman Porcelain Pines subdivision 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. 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.
4. Driveway permits will be required for each access to an El Paso County-owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. 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.
6. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 3/5/2024, 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.

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
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	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 Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 16th day of May 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____

EXHIBIT A

A portion of the parcel described in that Quitclaim Deed, recorded January 22, 2020 under Reception No. 220009194, in the Official Public Records of El Paso County, Colorado, located in the Northwest 1/4 of Section 22, Township 13 South, Range 68 West, of the 6th/ P.M., being more particularly described as follows,

COMMENCING at the Center 1/4 Corner of said Section 22; thence along the south line of the Southeast 1/4 of the Northwest 1/4 of said Section 22, N88°57'03"W, (Bearings are based on the south line of the Southeast 1/4 of the Northwest 1/4 of said Section 22, monumented at the Center 1/4 Corner of said Section 22 by a 1" iron pipe with a 2-1/2" brass cap stamped "1938 U.S. GENERAL LAND OFFICE SURVEY", 0.5' above grade and monumented at the West Center 1/16 Corner by a 1" iron pipe with a 2-1/2" brass cap stamped 1938 U.S. GENERAL LAND OFFICE SURVEY", flush with grade, having a measured bearing of N88°57'03"W, a distance of 1301.48 feet), a distance of 234.34 feet to the southeast corner of said parcel, being the POINT OF BEGINNING; thence continuing along said south line of the Southeast 1/4 of the Northwest 1/4 of said Section 22, N88°57'03"W, a distance of 1067.14 feet to the West 1/16 Corner of said Section 22; thence along the North-South Center line of the Northwest 1/4 of said Section 22, N01°07'31"W, a distance of 932.25 feet; thence leaving said North-South Center line, N88°52'29"E, a distance of 182.97 feet; thence N01°08'07"W, a distance of 353.05 feet; thence N41°49'19"W, a distance of 283.92 feet to a point on south right-of-way line of Nampa Road; thence along the south right-of-way line of said Nampa Road, the following seven (7) courses:

1. N48°13'23"E, a distance of 60.11 feet;
2. along the arc of a non-tangent curve to the right, whose center bears N48°07'42"E, having a radius of 23.65 feet, a central angle of 115°53'06", a distance of 47.83 feet;
3. N73°46'14"E, a distance of 315.39 feet;
4. along the arc of a non-tangent curve to the left, whose center bears N16°10'04"W, having a radius of 245.85 feet, a central angle of 38°16'52", a distance of 164.26 feet;
5. along the arc of a reverse curve to the right, whose center bears S54°53'21"E, having a radius of 303.82 feet, a central angle 14°01'04", a distance of 74.33 feet;
6. N49°31'01"E, a distance of 285.03 feet;
7. along the arc of a non-tangent curve to the left, whose center bears N40°28'22"W, having a radius of 364.10 feet, a central angle of 23°57'14", a distance of 152.22 feet, to a point on the southeast line of that Right-of-Way Vacation recorded under Book 3122 Page 824 in the Official Public Records of El Paso County, Colorado;

Thence continuing along said southeast line of said Right-of-Way Vacation, N25°35'01"E, a distance of 134.87 feet to a point on the south right-of-way line of Nampa Road; thence along said south right-of-way line, the following five (5) courses:

1. along the arc of a non-tangent curve to the right, whose center bears S64°28'18"E, having a radius of 59.60 feet, a central angle of 95°53'57", a distance of 99.76 feet;
2. S58°29'48"E, a distance of 40.03 feet;
3. along the arc of a non-tangent curve to the left, whose center bears N31°15'02"E, having a radius of 96.71 feet, a central angle of 48°28'43", a distance of 81.83 feet;
4. N72°58'37"E, a distance of 67.62 feet;
5. along the arc of a non-tangent curve to the left, whose center bears N12°19'30"W, having a radius of 96.71 feet, a central angle of 22°07'11", a distance of 37.34 feet, to a point on the west line of Pikes Peak Mountain Estates, recorded November 5, 2001 under Reception No. 201161507;

Thence continuing along said west line of Pikes Peak Mountain Estates, the following two (2) courses:

1. S18°49'36"E, a distance of 138.79 feet;

2. S35°59'27"W, a distance of 515.72 feet, to a point on the west right-of-way line of Pikes Peak Toll Road;

Thence continuing along said west right-of-way line of Pikes Peak Toll Road, the following, thirteen (13) courses:

1. Along the arc of a non-tangent curve to the left, whose center bears S11°39'01"E, having a radius of 193.42 feet, a central angle of 64°29'48", a distance of 217.73 feet;
2. S13°45'10"W, a distance of 216.22 feet;
3. Along the arc of a non-tangent curve to the left, whose center bears S76°02'47"E, having a radius of 1005.40 feet, a central angle of 11°10'16", a distance of 196.03 feet;
4. S02°43'25"W, a distance of 173.36 feet;
5. Along the arc of a non-tangent curve to the left, whose center bears S87°14'50"E, having a radius of 460.30 feet, a central angle of 17°26'00", a distance of 140.06 feet;
6. S14°46'15"E, a distance of 167.06 feet;
7. Along the arc of a non-tangent curve to the left, whose center bears S74°40'19"E, having a radius of 338.00 feet, a central angle of 31°57'04", a distance of 188.49 feet;
8. S45°59'03"E, a distance of 171.85 feet;
9. Along the arc of a non-tangent curve to the right, whose center bears S43°26'18"E, having a radius of 238.00 feet, a central angle of 31°14'04", a distance of 129.74 feet;
10. S15°27'25"E, a distance of 155.45 feet;
11. Along the arc of a non-tangent curve to the right, whose center bears S74°31'58"E, having a radius of 238.00 feet, a central angle of 19°18'37", a distance of 80.21 feet;
12. S43°26'18"E, a distance of 46.77 feet;
13. Along the arc of a non-tangent curve to the left, whose center bears S86°04'29"E, having a radius of 363.70 feet, a central angle of 09°00'56", a distance of 57.23 feet, to the POINT OF BEGINNING.

LESS

A tract of land in Northwest Quarter of Section 22, Township 13 South, Range 68 West of the 6th P.M., County of El Paso, Colorado described as follows:

Beginning at a point that is S 64°26'49" E 40.00 feet from the Northwest Corner of Lot 112, The UTE Pass Summer Homes Co Subdivision No. 1, El Paso County, Colorado, said point being on the Northwest Corner of the Right of Way Vacation recorded under Book 3122, Page 824 in the Official Public Records of El Paso County, Colorado; thence

S 64°25'10" E 27.90 feet; thence

S 25°34'50" W 134.69 feet; thence

N 64°25'10" W 27.90 feet to the Northeast Corner of said Right of Way Vacation; thence

N 25°34'50" E 134.39 feet to the point of beginning, containing 3,758 square feet.

Subject to easements and restrictions of record.

For a total of 35.06 acres.