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COLORADO

HOLLY WILLIAMS
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PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Kylie Bagley, Senior Planner
Bret Dilts, P.E., Senior Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Number: SF248
Project Name: Village at Lorson Ranch Fil. No. 1
Parcel Number: 5515413054

OWNER:	REPRESENTATIVE:
CRADLAN LLC 212 N Wahsatch Drive, Suite 301 Colorado Springs, CO 80903	Matrix Design Group 2435 Research Parkway, Suite 300 Colorado Springs, CO 80920

Commissioner District: 4

Planning Commission Hearing Date:	10/3/2024
Board of County Commissioners Hearing Date:	10/24/2024

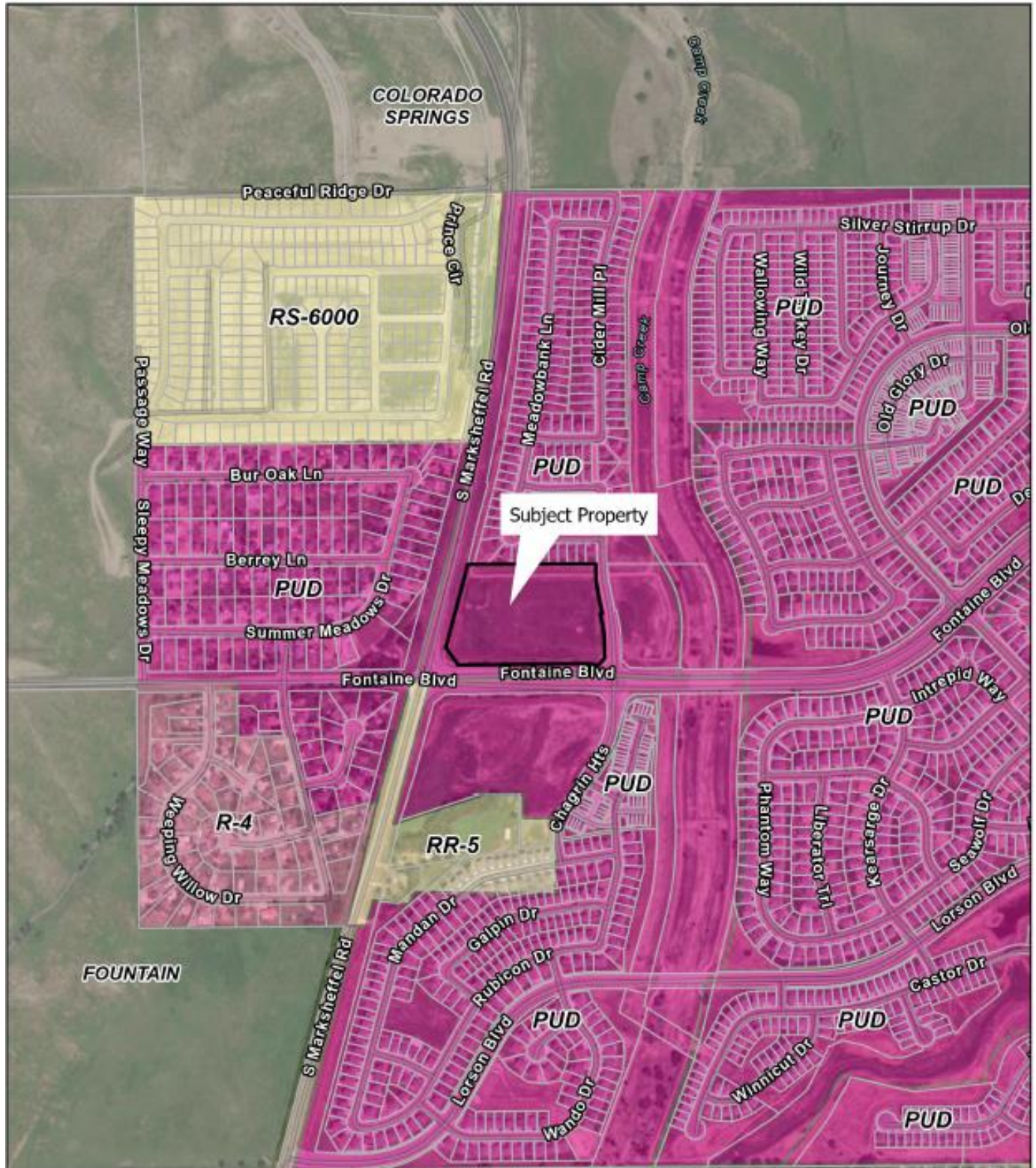
EXECUTIVE SUMMARY

A request by Matrix Design Group, Inc. for approval of a 9.73-acre Final Plat creating six commercial lots. The property is zoned PUD (Planned Unit Development) and is located directly northeast of the intersection of Marksheffel Road and Fontaine Boulevard and directly northwest of the intersection of Fontaine Boulevard and Carraige Meadows Drive. A finding of water sufficiency with regards to quality, quantity, and dependability is requested with the Final Plat. The applicants are also requesting a Waiver to Section 8.4.4.C of the El Paso County Land Development Code (As Amended) to allow for the proposed subdivision to be served by private roads where public roads are required.

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Vicinity Map

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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 Final Plat, 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 subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved Preliminary Plan;
- 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;
- Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
- 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;
- 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)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;

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- 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;
- 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 of the Code; 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. LOCATION

North:	PUD (Planned Unit Development)	Single-Family Residential
South:	PUD (Planned Unit Development)	Vacant Land
East:	PUD (Planned Unit Development)	Vacant Land
West:	PUD (Planned Unit Development)	Single-Family Residential

D. BACKGROUND

The subject property was zoned PUD (Planned Unit Development) in 2006 (PCD File No. PUD06002) and was platted as a tract with the Carriage Meadows at Lorson Ranch Final Plat (SF06030). The Board of County Commissioners approved a rezone from PUD to CS (Commercial Service) on September 12, 2024 (PCD File No. CS242). In order to submit for a building permit on the property, the applicant must plat the property from a Tract to Lots. The applicant is proposing to create six commercial lots with an internal private drive.

E. ANALYSIS

1. Land Development Code and Zoning Analysis

The Final Plat 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 applicants are requesting a Waiver to Section 8.4.4.C of the El Paso County Land Development Code (As Amended) to allow for the proposed lots to be created without having to be served by a public road.

Section 8.4.4.C, Public Roads Required, of the Code states: *Divisions of land, lots, and tracts shall be served by public roads, except where private roads are approved by the BoCC pursuant to waiver granted under Section 8.4.4 (E).*

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The applicant is proposing that the six lots be accessed via a 50-foot public access easement that will be constructed as a private road known as Center Village Heights. Adequate access can be provided to all the proposed lots via the proposed access easement.

In approving a Waiver from any of the subdivision design standards and requirements, the Board of County Commissioners shall find that the Waiver meets the criteria for approval outlined in Section 7.3.3 (Waivers) of the El Paso County Land Development Code (As Amended):

- *The waiver does not have the effect of nullifying the intent and purpose of this Code;*
- *The waiver will not result in the need for additional subsequent waivers;*
- *The granting of the waiver 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;*
- *A particular non-economical hardship to the owner would result from a strict application of this Code;*
- *The waiver will not in any manner vary the zoning provisions of this Code; and*
- *The proposed waiver is not contrary to any provision of the Master Plan.*

F. MASTER PLAN COMPLIANCE

The proposed Final Plat is consistent with the Master Plan analysis which was provided with the Map Amendment (Rezoning) application CS242 and approved by the BoCC on September 12, 2024.

2. Water Master Plan Analysis

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

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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.

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 7 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 7 for central water providers:

The Plan identifies the current demand for Region 7 to be 10,141 acre-feet per year (AFY) (Figure 5.1) with a current supply of 15,376 AFY (Figure 5.2). The projected demand in 2040 for Region 7 is at 15,846 AFY (Figure 5.1) with a projected supply of 25,241 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 7 is at 26,969 AFY (Figure 5.1) with a projected supply of 27,840 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 871 AFY is anticipated for Region 7.

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

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 Environmental Services was sent a referral and have no outstanding comments. No mitigation strategies were identified, but compliance with all State and Federal regulations is required.

The Master Plan for Mineral Extraction (1996) identifies valley fill 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.

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G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A soils & geology report was submitted for review with the Final Plat. Identified geologic conditions on the site include shallow groundwater, expansive soils and bedrock, compressible soils, and undocumented fill. Pursuant to Colorado Geological Survey recommendations, the applicant has included the following note on the Final Plat:

The study concluded each constraint can be readily mitigated with typical construction practices typical for the front range region. Mitigation is to include, over excavation and replacement of expansive soils/bedrock, compressible soils and undocumented fil. Slab on grade foundations are proposed for the subdivision and a minimum of 3 to 5-foot of separation is recommended between the bottom of the foundation components/floor slabs ad the seasonal high water table levels. If basements are proposed, the site is to be re-evaluated at the time of site-specific subsurface soil investigation for each lot and again at the open excavation observation for each proposed structure, based on the conditions encountered at the time Colorado Geological Survey recommends that lot-specific soils investigations be performed once building locations have been identified.

2. Floodplain

This site is not located within a defined floodplain as determined by the Federal Emergency Management Agency (FEMA) Flood Rate Insurance Map (FIRM) number 08041C10957G, effective December 7, 2018.

3. Drainage and Erosion

The property is in the Jimmy Camp Creek Drainage Basin (FOFO2000) which is a part of the El Paso County Drainage Basin Fee program. El Paso County Board of County Commissioners has approved partial fee closure of Jimmy Camp Creek drainage basin for the remaining Lorson Ranch Final Plats per Resolution number 24-233. Therefore, no drainage fees or bridge fees applies.

Existing flows on the site generally flow from north to south. Developed runoff for the site will be conveyed via curb/gutter and storm sewer facilities to an existing culvert that routes flows under Fontaine Boulevard to a sub-regional detention and water quality pond constructed as part of Carriage Meadows South. This pond is owned and maintained by the Lorson Ranch Metropolitan District.



4. Transportation

A traffic study was submitted with the Final Plat request. Access is proposed via Carriage Meadows Drive and Fontaine Boulevard which are owned and maintained by the County, and Marksheffel Road which is owned and maintained by the City of Colorado Springs. Offsite improvements are anticipated and identified in the traffic impact study. Additionally, a new traffic signal will be required and constructed with this development at the intersection of Fontaine Boulevard and Carriage Meadows Drive. A private roadway, Center Village Heights, will be constructed that provides access from Marksheffel Road and Carriage Meadows Drive. The private roadway will be owned and maintained by the Lorson Ranch Metropolitan District.

The Road Impact Fee as approved by Resolution 19-471 will be assessed at the last land-use approval. The parcels of this Final Plat are within the boundary of Public Improvement District 2. As such, Road Impact Fees will be assessed in accordance with the PID.

H. SERVICES

1. Water

Water will be provided by Widefield Water and Sanitation District. 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 Final Plat 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 Widefield Water and Sanitation District.

3. Emergency Services

The property is within the Security Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

4. Utilities

Electric will be provided by Mountain View Electric Association Inc.



5. Metropolitan Districts

The property is within the Lorson Ranch Metropolitan District #7.

6. Parks/Trails

Commercial applications are not subject to park fees.

7. Schools

Commercial applications are not subject to school fees.

I. APPLICABLE RESOLUTIONS

See attached resolution.

J. STATUS OF MAJOR ISSUES

There are no outstanding major issues.

K. 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. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable

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agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.

6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
9. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated August 21, 2024, as provided by the County Attorney's Office.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of plat recordation:
 - a. The subject property is in the Jimmy Camp Creek Drainage Basin, currently there are no fees required per Resolution 24-233.
 - b. Park fees are not applicable for this application.
 - c. School fees are not applicable for this application.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. The El Paso County Road Impact Fee Program Resolution (Resolution 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 No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at

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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.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 89 adjoining property owners on September 17, 2024 for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

M. ATTACHMENTS

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

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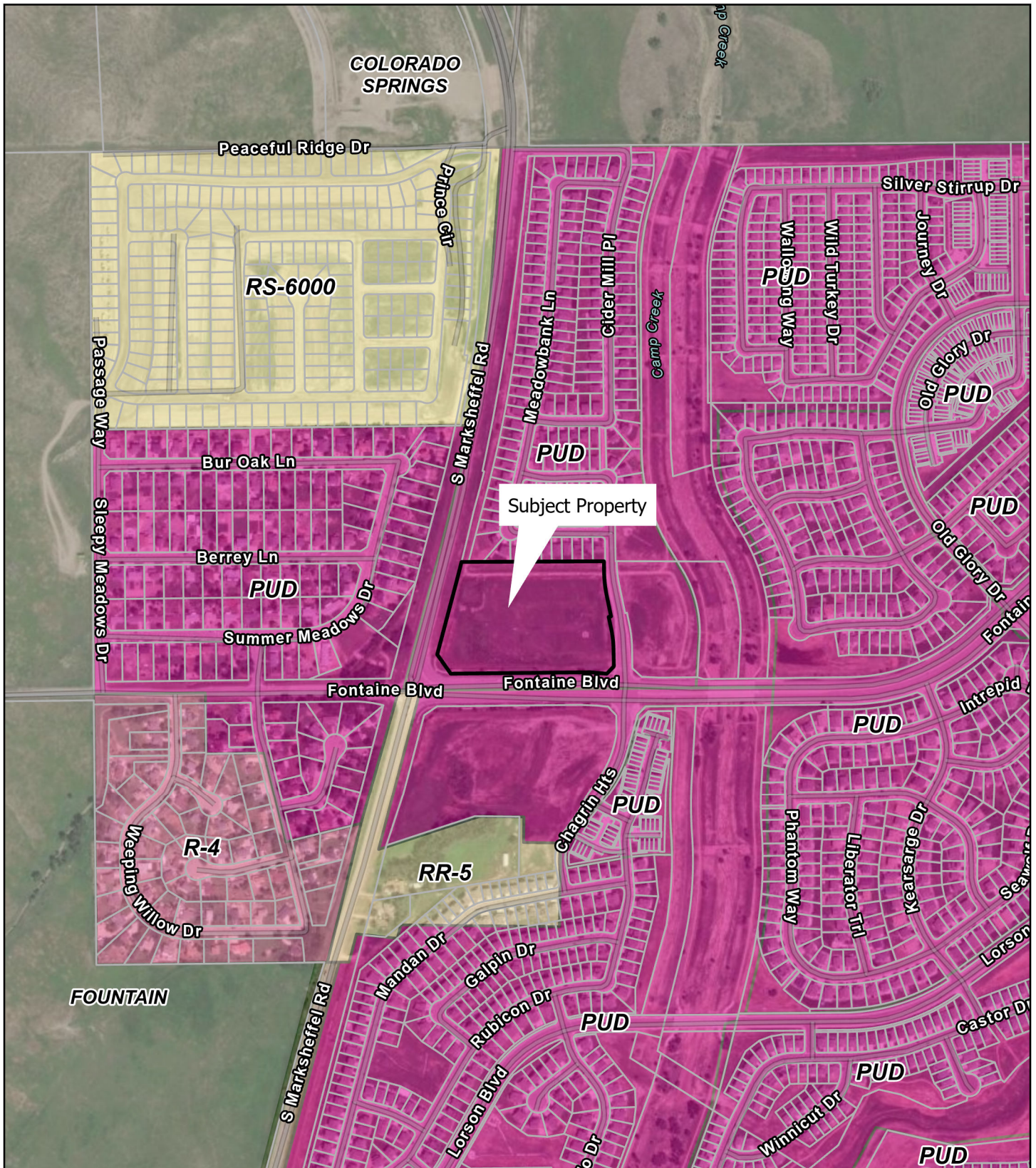
Aerial Map

File No.SF248

Map Series No. 1



0 0 0.1 0.1 Miles



Zoning Map

File No.SF248

Map Series No. 2



0 0 0.1 0.1 Miles

A graphic scale bar with markings for 0, 0.1, and 0.1 miles.



Placetype Map

File No.SF248

Map Series No. 3



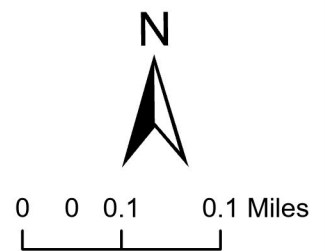
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Areas of Change Map

File No.SF248

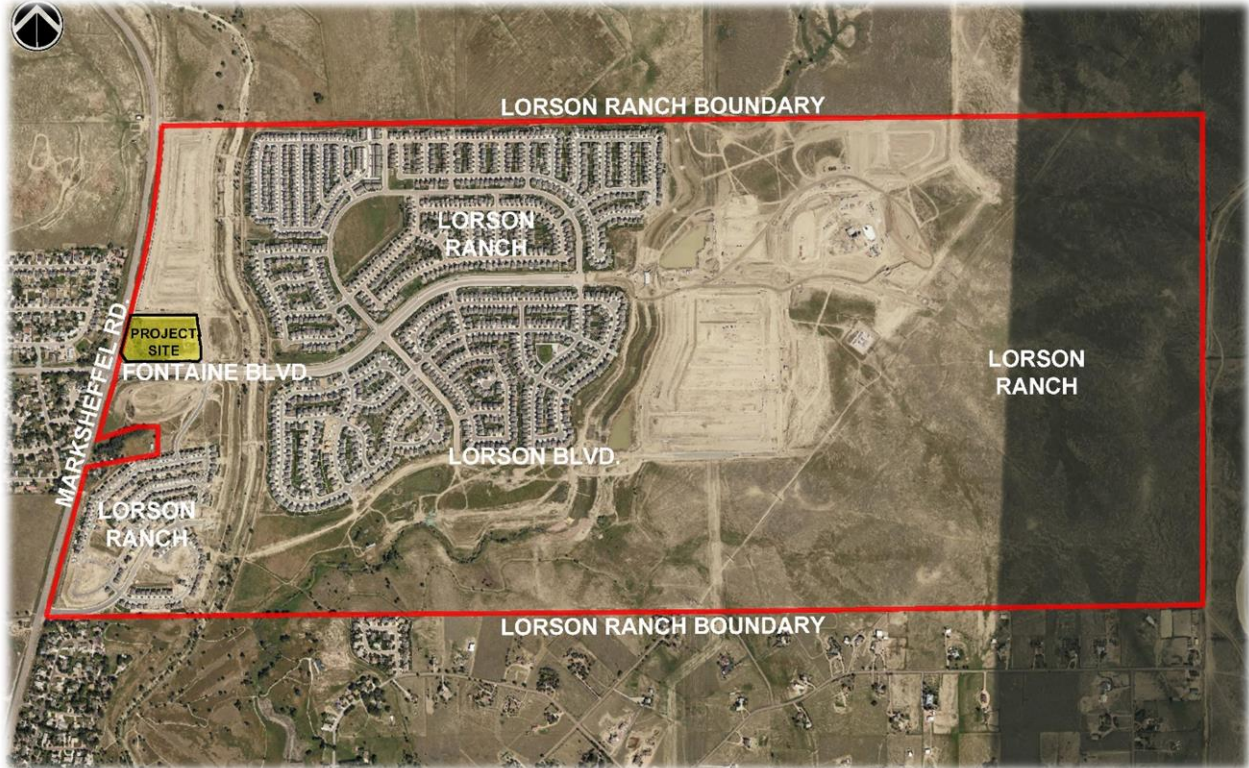
Map Series No. 4



VILLAGE AT LORSON RANCH FILING 1

LETTER OF INTENT REZONE AND PLAT

June 3, 2024 (REV-1)



PREPARED FOR:

Cradlan LLC
212 N. Wahsatch Ave., Suite 301
Colorado Springs, CO 80903

PREPARED BY:

Matrix Design Group
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920

Owner/ Applicant: Cradlan LLC
212 N. Wahsatch Ave., Suite 301
Colorado Springs, CO 80903
Office: (719) 635-3200

Planner: Matrix Design Group
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920
Office: (719) 575-0100

Civil Engineer: Core Engineering Group
15004 1st Avenue S.
Burnsville, MN 55306
Office: (952) 303-4212

Tax Schedule No: 5515413054

Acreage: 9.73 Acres

Site Location, Size, Zoning:

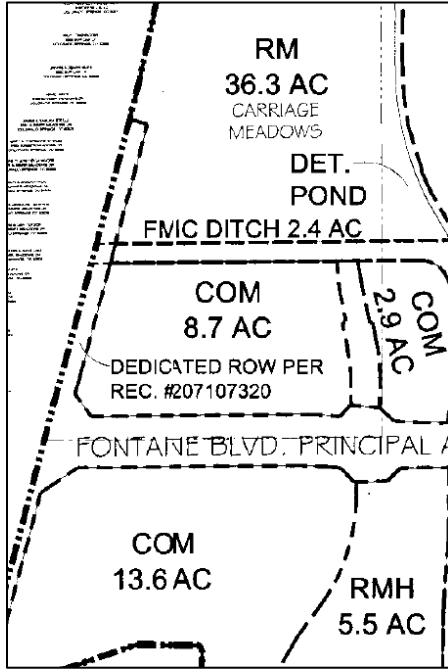
Matrix Design Group, on behalf of Cradlan LLC, is respectfully submitting rezone and plat applications for the proposed Village at Lorson Ranch Filing 1 commercial project. The proposed submittal seeks to rezone 9.73 acres from PUD Commercial to Commercial Service (CS) and replat 6 individual commercial lots. The Lorson Ranch Minor Sketch Plan Amendment, approved on April 21, 2016, depicts COM (Commercial Related Uses). The proposed rezone application submittal proposes Commercial Service (CS) zoning and is in compliance with the approved Sketch Plan. The proposed replat illustrates 6 commercial lots of approximately 1 to 2-acres in size each.

The site is bordered by Fontaine Boulevard to the south; Marksheffel Road to the west; Carriage Meadows Drive to the east; developed Lorson Ranch PUD zoned single-family property to the north (Residential Medium 7-10 DU/ Acre). The parcel that makes up this submittal is vacant with no existing buildings or structures. The site contains no natural drainage ways or significant natural features. The site does contain existing drainage facilities and improvements which shall remain. Village at Lorson Ranch is located within the Widefield Water and Sanitation District's (WWSD) boundaries and will rely upon municipal services for water/ wastewater.

The subject site is within the City of Colorado Springs Annexation Interest Area however, the City has previously expressed no interest in annexation for the Lorson Ranch community.

Request & Justification:

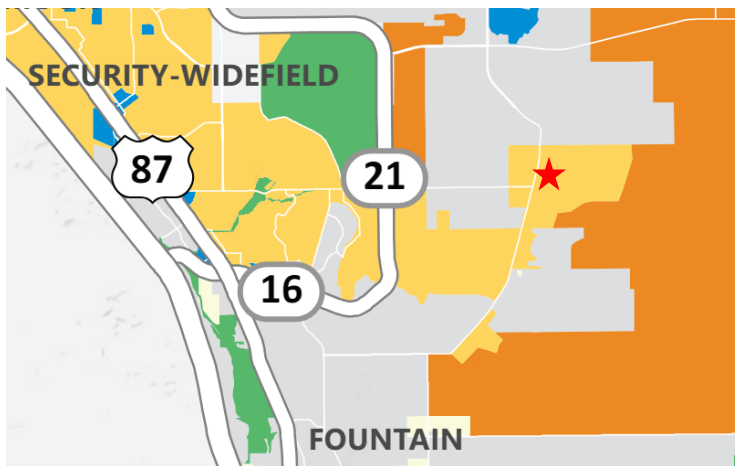
The purpose of this application is to request approval of a Rezone and Replat for a portion of Lorson Ranch located at the northeast corner of Marksheffel Road and Fontaine Boulevard.



The proposed submittal seeks to rezone 9.73 acres from PUD Commercial to a straight Commercial Service (CS) zone district. The straight zone district designation will make future development of the commercial lots simpler as the CS zone district outlines the design standards and guidelines. A proposed replat illustrates 6 commercial lots of approximately 1 to 2-acres in size each. Future plan submittals will determine the final layout and design of the individual commercial parcels. The proposed rezone parcel is currently zoned PUD and is part of the Lorson Ranch Minor Sketch Plan Amendment, approved on April 21, 2016. This Master Plan depicts the parcel as COM (Commercial Related Uses).

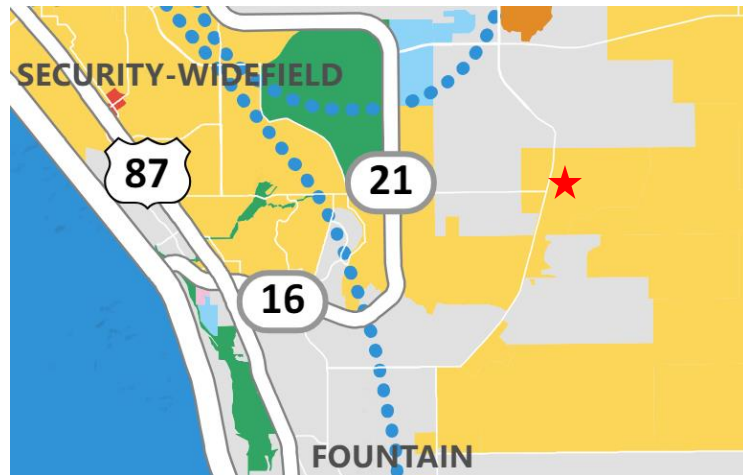
The proposed rezone complies with the intent of PUDSP 162, condition no. 7, and will simplify the process of having numerous submittals, a predefined set of design guidelines and standards, and eliminate

the PUD review criteria with future submittals.



The subject site is within the Area of Change, Minimal Change: Developed. This includes developed areas that are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses.

The subject site is within the Placetype of Suburban Residential. The primary land use within Suburban Residential is Single-Family Detached Residential and includes supporting land uses of Single-Family Attached, Multi-Family, Parks/ Open Space, Commercial Retail, Commercial Service, and Institutional.



Commercial Service (CS) Zoning Requirements

The CS zoning district is intended to accommodate retail, wholesale or service commercial uses that serve the general public. Use Types will conform to the Allowed and Special Use requirements of LDC Chapter 5, Table 5-1.

Your El Paso County Master Plan

Baseline Considerations:

1. *Is there a desirability or demand within the community for this use?*
The proposed Village at Lorson Ranch would help to fulfill desirability and demand for additional Commercial Retail and Commercial Services within El Paso County as well as serve the few thousand residential units existing and proposed within the Lorson Ranch development. As illustrated in the recently approved Your El Paso County Master Plan, the place based approach is not focused on the use of a specific parcel, but rather is concerned with the collective mix of uses that establish a place within the El Paso County community. The Commercial component of Lorson Ranch was always planned for and intended to be on the subject parcel per the approved Lorson Ranch Minor Sketch Plan Amendment.
2. *Does the market support the need for the use? Would the use be viable if built right now?*
There is a demand for the proposed Commercial land use to serve the planned +/- 6,500 residential units within Lorson Ranch as well as the growing areas adjacent to the proposed commercial parcels.
3. *Would the use be providing necessary housing or essential goods and/ or services?*
The proposed Village at Lorson Ranch will incorporate commercial retail and commercial services into the community. The proposed site is not located within a "Key Area" but is located within an area of change (Minimal Change: Developed). The site has a place type of Suburban Residential which has a primary land use of Single-Family Residential and supporting land uses of both Commercial Retail and Commercial Services. The proposed rezone supports this place type as well as the existing Lorson Ranch Minor Sketch Plan Amendment. Additionally, the Commercial

land use supports **Goal 1.3** *Encourage a range of development types to support a variety of land uses.*

County Systems Considerations:

1. *Is there existing infrastructure to which the development can connect? If so, what infrastructure exists? If not, are there existing or proposed plans to extend infrastructure to this area?*

The proposed Village at Lorson Ranch will be served by existing infrastructure to include water and wastewater services, electricity, and roadways. These utilities have been planned for long in advance with capacity to serve the commercial development.

2. *Does the development trigger the need for such infrastructure?*

The proposed development does not trigger the need for new infrastructure as previous approvals contemplated the necessary infrastructure improvements. However, the proposed development may require expansion of some existing facilities meeting **Goal LU4**: *Continue to encourage policies that ensure "development pays for itself"*. The extension of existing utilities and facilities into this site will be determined with future, more detailed developments.

3. *Does the proposal trigger the need for pedestrian or multimodal connections and are those connections being provided?*

The proposed Village at Lorson Ranch will require a roadway to be designed and built to provide internal access to the commercial uses. Internal trail and/or sidewalk connections will be provided as necessary to connect to existing pedestrian systems within the development. This supports **Goal TM2** *Promote walkability and bike-ability* by continuing the construction of trail corridors connecting this development with adjacent neighborhoods.

El Paso County Map Amendment (Rezoning) Approval Criteria:

1. *The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;*

The application is in conformance with the El Paso County Master Plan as listed above.

2. *The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;*

The Lorson Ranch Minor Sketch Plan Amendment, approved on April 21, 2016, depicts COM (Commercial Related Uses). The proposed rezone application submittal proposes Commercial Service (CS) zoning and is in compliance with the approved Sketch Plan and applicable provisions.

3. *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and*

The proposed submittal seeks to rezone 9.73 acres from PUD Commercial to a straight Commercial Service (CS) zone district. The straight zone district designation will make future development of the commercial lots simpler as the CS zone district outlines the design standards and guidelines. The site has been planned as Commercial on the approved Lorson Ranch Sketch Plans (s) and is compatible with the adjacent land uses and PUD zoning.

4. *The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.*

The proposed submittal seeks to rezone 9.73 acres from PUD Commercial to a straight Commercial Service (CS) zone district. The straight zone district designation will make future development of the commercial lots simpler as the CS zone district outlines the design standards and guidelines.

El Paso County Replat Approval Criteria:

1. *The replat complies with this Code, and the original conditions of approval associated with the recorded plat;*

The proposed Replat complies with the El Paso County Land Development Code and the original conditions of approval.

2. *No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;*

The proposed Replat will not create any nonconforming lots.

3. *The replat is in keeping with the purpose and intent of this Code;*

The proposed Replat is in keeping with the El Paso County Land Development Code.

4. *The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;*

The proposed Replat conforms to the required findings of a major subdivision.

5. *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;*

The proposed parcels will gain access from a private internal access drive that runs between Marksheffel Road and Carraige Meadows Parkway. A right-in only is also proposed along Fontaine Boulevard.

6. *The approval will not adversely affect the public health, safety, and welfare; and*

The proposed Replat will not adversely affect public health, safety, and welfare. The site has always been master planned as a future Commercial site.

7. *Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved.*

The Village at Lorson Ranch will be subject to new CC&Rs.

El Paso County Water Master Plan:

Village at Lorson Ranch is located within the Widefield Water and Sanitation District's (WWSD) boundaries and will rely upon municipal services for water supply. These municipal services have been provided in previous Lorson Ranch filing. There are no proposed wells or individual septic systems within Village at Lorson Ranch. A WWSD intent to serve commitment letter is provided with the Water Report.

In addition, Village at Lorson Ranch meets the stated Goals and Policies:

- Goal 1.2 – Integrate water and land use planning
- Goal 4.2 – Support the efficient use of water supplies

through integrated master planning of site planning, landscape and water resource best management practices.

Total Number of Residential Units, Density, and Lot Sizes:

No residential units are proposed.

Total Number of Industrial or Commercial Sites:

The proposed Replat illustrates 6 commercial lots of approximately 1 to 2-acres in size each. Future plan submittals will determine the final layout and design of each commercial parcel. There are no industrial sites being proposed.

Phasing Plan and Schedule of Development:

The project will be constructed in multiple phases; however, at this time exact phasing is unknown. Future plan submittals will further detail the commercial development and proposed phasing.

Areas of Required Landscaping:

The proposed internal landscape design (5%), adjacent residential district buffering, and streetscape planting requirements shall comply with the EPC LDC. The landscape design will be shown in more detail at the time of future plan submittals. There are no landscape waivers being requested at this time and there is no open space requirements as part of commercial development.

Types of Proposed Recreational Facilities:

There are no recreational facilities being proposed with this application for rezone as there are no open space requirements. Potential trail corridors and/or connections within the proposed project limits will be coordinated during the preliminary plan and final plat submittals as part of the detailed layout.

Traffic Engineering:

Vehicular access as illustrated in the Traffic Impact Study is proposed with all roadways to be private. A waiver has been included to permit the private roadway. A main access point is proposed on Carriage Meadows Drive. A right-in only access point is proposed along Fontaine Boulevard. This right-in only access point will require a deviation. A second deviation is required for to permit pedestrian crossings greater than 48 feet. See below for more information. Road impact fees to be calculated at time of building permit as may be required.

School District:

N/A

Proposed Services:

1. Water/ Wastewater: Widefield Water and Sanitation District
2. Gas: Black Hills Energy
3. Electric: Mountain View Electric
4. Fire: Security Fire Protection District
5. School: Widefield District #3
6. Roads: El Paso County Road and Bridge
7. Police Protection: El Paso County Sheriff's Department

Impacts associated with the Rezone Application:___

Floodplain: This site is not located within a designated FEMA floodplain as determined by the flood insurance map, community map number '08041C0976G' effective date December 7, 2018.

Site Geology: A Soils and Geology Study is submitted with this application.

Wetlands: There are no natural drainage areas, drainage ways or water courses found on site, as a result there are not wetlands present. All drainage and erosion criteria will be met following El Paso County Development Standards.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. The site has very little vegetation and contains mostly native turfgrass which may result in higher than normal amounts of dust during windy days. However, the proposed development will provide irrigated turf areas and native seeding to help alleviate the dust issues. Construction practices will adhere to El Paso County health department, as well as state department codes and regulations.

Water Pollution: By adhering to current wastewater and stormwater regulations, any water pollution emanating from the development will be negligible. An erosion and sedimentation plan will be in place prior to construction.

Noise Pollution: Vehicular movement is expected to be the only major source of noise pollution emanating from the site after construction is complete. The proposed development is surrounded by similar land uses and the effects of noise generated from the site will have little or no impact on other surrounding areas.

Visual Assessment: The natural mountain backdrop of the Rampart Range is perhaps the best natural feature of Village at Lorson Ranch with sweeping views in nearly all directions. The scenic view shed is impaired somewhat by intervening development; however, the panoramic views remain quite spectacular.

Vegetation, Wildlife Habitats and Migration Routes:

Proposed landscaping will include low-water use plant material, and where possible, the plant material will be native to the Colorado Springs region.

The Colorado Division of Wildlife note the following as also present in the area.

- Prairie Dog
- Mule and White-Tailed Deer
- Pronghorn Antelope
- Fox species
- Coyote
- Rabbits
- Raptors
- Songbirds
- Numerous Small Mammals

Due to the construction activity and adjoining residential developments, it is not anticipated that the application will have significant impacts on wildlife in the area.

Deviation Requests (see Deviation Request and Decision Forms):

1) ROADWAY ACCESS CRITERIA

Requested Deviation: To permit right-in only access from Fontaine Boulevard into the Village at Lorson Ranch project.

Justification: The deviation will help reduce the amount of commercial traffic on Carriage Meadows Drive. Additionally, the right-in only access point is approximately 440' feet from the intersection of Fontaine Boulevard and Carriage Meadows Drive. All of the turn movements will take place in an existing auxiliary lane where speeds are already reduced and nowhere near the design speeds of Fontaine Boulevard.

2) PEDESTRAIN REFUGE / CROSSWALK LENGTH GREATER THAN 48 FEET

Requested Deviation: 2 of the 4 crossing locations at the intersection of Fontaine Blvd and Carriage Meadows Drive will have a crossing length slightly greater than 48 feet.

Justification: The proposed deviation is requested because of the considerable amount of modification and expansion to accommodate pedestrian refuge pork chop islands at all 4 sides of the intersection. Modification would include relocation of (2) 6'x12' concrete electric vaults, relocate a 25' long Type R inlet, relocate a 5' long Type R inlet and reconstruct a portion of storm sewer, additional pavement/curb/sidewalk reconstruction and expansion, and ROW taking at 3 of the 4 intersection corners. The addition of corner refuge islands will also make the sight of oncoming traffic from the Carriage Meadows intersection approaches more difficult to see than not installing the corner islands.

Waiver Requests (see Waiver Request):

1) PUBLIC ROADS REQUIRED

Requested Deviation: To permit a private road internal to the subject commercial project.

Justification: The proposed roadway will closely follow the minimum requirements of a typical urban local roadway per the ECM. The proposed roadway will have a 50'-56' wide access easement, with two 15-18' lanes of asphalt paved travel (30'-36' total pavement width), type A curb & gutter on each side of the road, and a 5' wide attached walk along the south side of the roadway.

A REPLAT OF TRACT D, "CARRIAGE MEADOWS NORTH AT LORSON RANCH FILING NO. 1" RECORDED UNDER RECEPTION NO. 218714242 OF THE RECORDS OF EL PASO COUNTY, COLORADO, BEING A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (S1/2 SE 1/4 SE 1/4) SECTION 15, T15S, R65W, OF THE SIXTH P.M., EL PASO COUNTY, COLORADO

THAT CRADLAN LLC, A COLORADO LIMITED LIABILITY COMPANY BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

TRACT D, "CARRIAGE MEADOWS NORTH AT LORSON RANCH FILING NO. 1" UNDER
RECEPTION NO. 218714242 OF THE RECORDS OF EL PASO COUNTY, COLORADO, BEING
A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST
QUARTER (S 1/2 SE 1/4 SE 1/4) SECTION 15, T15S, R65W, OF THE SIXTH P.M., EL PASO
COUNTY, COLORADO.

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, TRACTS, AND PUBLIC EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF "WINDY HILLS PLAT", AND SAID LOTS, TRACTS AND EASEMENTS SO PLATTED ARE HEREBY DEDICATED TO PUBLIC USE, AND SAID OWNER DOES HEREBY COVENANT AND AGREE THAT THE PUBLIC IMPROVEMENTS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND THAT PROPER DRAINAGE AND EROSION CONTROL FOR SAME WILL BE PROVIDED AT 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 GRANTED TO THE PUBLIC UTILITIES AND COMMUNICATIONS AGENCIES 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.

File: D:\451434_CARRIAGE MEADOWS COMMERCIAL\COMMERCIAL TRACTS - (LANDLUS Survey)\Plot\43-143 Village @ 18 No. 1 1P.dwg PlotStamp: 4/3/2024 6:00 PM

VILLAGE AT LORSON RANCH FILING NO. 1
A REPLAT OF TRACT D, "CARRIAGE MEADOWS NORTH AT LORSON RANCH FILING NO. 1"
RECORDED UNDER RECEPTION NO. 218714242 OF THE RECORDS OF EL PASO COUNTY,
COLORADO, BEING A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF
THE SOUTHEAST QUARTER (S 1/2 SE 1/4 SE 1/4) SECTION 15, T15S, R65W,
OF THE SIXTH P.M., EL PASO COUNTY, COLORADO

GENERAL PLAT NOTES:

1. BASIS OF BEARING: A PORTION OF THE SOUTHERLY BOUNDARY LINE OF "CARRIAGE MEADOWS NORTH AT LORSON RANCH FILING NO. 1" RECORDED UNDER RECEPTION NO. 218714242 OF THE RECORDS OF EL PASO COUNTY, COLORADO, SAID LINE BEING MONUMENTED AT EACH END BY A NO. 5 REBAR AND 1.25 INCH ORANGE PLASTIC CAP STAMPED "M&S CIVIL PLS 29566". SAID LINE IS ASSUMED TO BEAR S89°26'47"W A DISTANCE OF 678.79 FEET. THE UNIT OF MEASUREMENTS IS THE U.S. SURVEY FOOT.
2. THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 08041C0957G EFFECTIVE DATE DECEMBER 7, 2018, HAS BEEN EXAMINED AS IT RELATES TO THE PROPERTY BEING PLATTED. THE PROPERTY LIES WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD.
3. A COMMITMENT FOR TITLE INSURANCE ISSUED APRIL 5, 2024 BY CORE TITLE GROUP LLC AS AGENT FOR WESTCOR LAND TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF MARCH 21, 2024 AT 7:30 A.M., FILE NO. 607COR, AMENDMENT NO. 607COR-C2, HAS BEEN EXAMINED AS IT RELATES TO THE PROPERTY BEING PLATTED.
- (TC#9) RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS DATED AND RECORDED OCTOBER 2, 1897 IN ROAD BOOK A AT PAGE 78, WHICH PROVIDED THAT ALL SECTION LINES, TOWNSHIP LINES ON THE PUBLIC DOMAIN EAST OF THE RANGE LINE SEPARATING RANGES 85 WEST AND 86 WEST ARE DECLARED TO BE PUBLIC HIGHWAYS HAVING A WIDTH OF 60 FEET, BEING 30 FEET ON EACH SIDE OF SAID SECTION LINES, TOWNSHIP LINES OR RANGE LINES. NOTE: RESOLUTION NO. 04-507 REGARDING ROAD ORDER RECORDED NOVEMBER 24, 2004 AT RECEPTION NO. 204193597 AND DISCLAIMER RECORDED NOVEMBER 24, 2004 AT RECEPTION NO. 204193598.
- (TC#10) ANY ASSESSMENT OR LIEN OF FOUNTAIN VALLEY SOIL CONSERVATION DISTRICT AS DISCLOSED BY THE INSTRUMENT RECORDED JUNE 21, 1943 AT RECEPTION NO. 683051.
- (TC#11) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN RIGHT-OF-WAY EASEMENT TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC., RECORDED DECEMBER 26, 1962 IN BOOK 1939 AT PAGE 548.
- (TC#12) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN RIGHT-OF-WAY EASEMENT TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC., RECORDED MARCH 7, 1983 IN BOOK 3684 AT PAGE 492.
- (TC#13) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN DEED RECORDED JANUARY 3, 2001 AT RECEPTION NO. 201000705.
- (TC#14) RIGHT OF WAY AND UTILITY EASEMENT RECORDED MARCH 7, 1995 IN BOOK 6613 AT PAGE 862.
- (TC#15) ANY ASSESSMENT OR LIEN OF WIDEFIELD WATER & SANITATION DISTRICT AS DISCLOSED BY THE INSTRUMENT RECORDED JUNE 20, 2005 AT RECEPTION NO.205091663.
- (TC#16) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN RESOLUTION NO. 04-366, BY AND BEFORE THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF EL PASO, STATE OF COLORADO, RECORDED SEPTEMBER 3, 2004 AT RECEPTION NO. 204150548. DEVELOPMENT AGREEMENT NO.1 RECORDED AUGUST 19, 2005 AT RECEPTION NO. 205128925. RESOLUTION NO. RESOLUTION NO. 05-336, APPROVING DEVELOPMENT AGREEMENT, BY AND BEFORE THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF EL PASO, STATE OF COLORADO, RECORDED AUGUST 24, 2005 AT RECEPTION NO. 205131973. CORRECTED VERSION OF SAID RESOLUTION NO. 05-336 IN CONNECTION THEREWITH RECORDED AUGUST 25, 2005 AT RECEPTION NO. 205132869. RESOLUTION NO. 07-223, RESOLUTION NO. 07-356 RECORDED SEPTEMBER 11, 2007 AT RECEPTION NO. 207118189. APPROVING AMENDED SERVICE PLAN, LORSON RANCH METROPOLITAN DISTRICTS 1-7, BY AND BEFORE THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF EL PASO, STATE OF COLORADO, RECORDED JULY 17, 2007 AT RECEPTION NO. 207095523. DEVELOPMENT AGREEMENT NO. 1 LORSON RANCH, IN CONNECTION THEREWITH RECORDED AUGUST 19, 2005 AT RECEPTION NO. 205128925. DEVELOPMENT AGREEMENT NO. 2, LORSON RANCH, IN CONNECTION THEREWITH RECORDED MAY 22, 2010 AT RECEPTION NO. 210025931 AND RERECORDED APRIL 20, 2010 AT RECEPTION NO. 210036301. RESOLUTION NO. 10-94 TO REVISE DEVELOPMENT AGREEMENT, BY AND BEFORE THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF EL PASO, STATE OF COLORADO, RECORDED OCTOBER 12, 2010 AT RECEPTION NO. 210101176. SCHOOL SITE DEDICATION AGREEMENT RECORDED APRIL 27, 2012 AT RECEPTION NO. 212047863, FIFTH AMENDED DEVELOPMENT AGREEMENT LORSON RANCH RECORDED JANUARY 29, 2014 AT RECEPTION NO. 214007624, GENERAL DISCLOSURE RECORDED JULY 11, 2017 AT RECEPTION NO. 217080960.
- (TC#17) ANY FEE, TAX, LIEN OR ASSESSMENT BY REASON OF INCLUSION WITHIN THE LORSON RANCH METROPOLITAN DISTRICT NO. 3, AS SET FORTH IN ORDER AND DECREE ORGANIZING SAID DISTRICT RECORDED DECEMBER 2, 2004 AT RECEPTION NO. 204197513. AMENDED ORDER AND DECREE IN CONNECTION THEREWITH RECORDED DECEMBER 2, 2004 AT RECEPTION NO. 204197520. ORDER OF INCLUSION IN CONNECTION THEREWITH RECORDED DECEMBER 28, 2004 AT RECEPTION NO. 204209874; RECORDED APRIL 21, 2005 AT RECEPTION NO. 205056116; AND RECORDED APRIL 21, 2005 AT RECEPTION NO. 205056117. NOTICE OF SPECIAL DISTRICT AUTHORIZATION OF ISSUANCE OF GENERAL OBLIGATION INDEBTEDNESS, IN CONNECTION THEREWITH RECORDED NOVEMBER 23, 2004 AT RECEPTION NO. 204192908. ORDER AND DECREE OF CORRECTION RECORDED JUNE 17, 2015 AT RECEPTION NO. 215062852
- (TC#18) ANY FEE, TAX, LIEN OR ASSESSMENT BY REASON OF INCLUSION WITHIN THE LORSON RANCH METROPOLITAN DISTRICT NO. 4, AS SET FORTH IN ORDER AND DECREE ORGANIZING SAID DISTRICT RECORDED DECEMBER 28, 2004 AT RECEPTION NO. 204209875 AND RECORDED SEPTEMBER 11, 2017 AT RECEPTION NO. 217109166.

GENERAL PLAT NOTES: (CONT.)

- (TC#19) ANY FEE, TAX, LIEN OR ASSESSMENT BY REASON OF INCLUSION WITHIN THE LORSON RANCH METROPOLITAN DISTRICT NO. 7, AS SET FORTH IN ORDER AND DECREE ORGANIZING SAID DISTRICT RECORDED APRIL 21, 2005 AT RECEPTION NO. 205056114.
- (TC#20) TERMS, CONDITIONS, PROVISION, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE INCLUSION & SERVICE AGREEMENT BETWEEN WIDEFIELD WATER & SANITATION DISTRICT AND LORSON LLC RECORDED ON MAY 31, 2005 AT RECEPTION NUMBER 205078708.
- (TC#21) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE DEVELOPMENT AGREEMENT NO. 1 - LORSON RANCH RECORDED ON AUGUST 18, 2005 AT RECEPTION NUMBER 205128925. NOTE: RESOLUTION NO. 05-336 TO APPROVE A DEVELOPMENT AGREEMENT RECORDED AUGUST 24, 2005 AT RECEPTION NO. 205131973 AND CORRECTION RESOLUTION RECORDED AUGUST 25, 2005 AT RECEPTION NO. 205132869.
- (TC#22) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN GRANT OF RIGHT OF WAY TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC., RECORDED NOVEMBER 21, 2005 AT RECEPTION NO. 205186520.
- (TC#23) SUBJECT TO THE EFFECT OF THE LORSON RANCH OVERALL DEVELOPMENT AND PHASE PLAN MAPS RECORDED MARCH 9, 2006 AT RECEPTION NO. 206035127.
- (TC#24) TERMS, CONDITION, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE DITCH RELOCATION, IMPROVEMENT AND EASEMENT AGREEMENT RECORDED ON AUGUST 8, 2006 AT RECEPTION NO. 206127024. QUIT CLAIM DEEDS FROM FOUNTAIN MUTUAL IRRIGATION COMPANY RECORDED SEPTEMBER 28, 2006 AT RECEPTION NO. 206143884, AT RECEPTION NO. 206143885 AND AT RECEPTION NO. 206143886, PURPORT TO RELINQUISH THE EXISTING EASEMENT TO THE PRESENT PROPERTY OWNERS.
- (TC#25) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION NO. 06-028 (REZONE) RECORDED ON MARCH 1, 2007 AT RECEPTION NO. 207028942.
- (TC#26) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN RESOLUTION NO. 07-119, RECORDED JULY 18, 2007 AT RECEPTION NO. 207095753.
- (TC#27) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN CARRIAGE MEADOWS AT LORSON RANCH SUBDIVISION PLANNED UNIT DEVELOPMENT GUIDELINES AND DESIGN GUIDELINES RECORDED JULY 23, 2008 AT RECEPTION NO. 208083051.
- (TC#28) NOTES, EASEMENTS AND RESTRICTIONS AS SHOWN ON THE PLAT OF CARRIAGE MEADOWS AT LORSON RANCH SUBDIVISION PUD REZONE DEVELOPMENT PLAN RECORDED JULY 23, 2008 AT RECEPTION NO. 208083052.
- (TC#29) ANY ASSESSMENT OR LIEN, BY REASON OF INCLUSION WITHIN THE SECURITY FIRE PROTECTION DISTRICT AS DISCLOSED BY ORDER OF INCLUSION RECORDED IN BOOK 5258 AT PAGE 1049 AND RECORDED JULY 31, 2013 AT RECEPTION NO. 213098578.
- (TC#30) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN GRANT OF RIGHT OF WAY TO MOUNTAIN VIEW ELECTRIC ASSOCIATION INC., RECORDED JANUARY 19, 2016 AT RECEPTION NO. 216005098.
- (TC#31) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN GRANT OF RIGHT OF WAY TO MOUNTAIN VIEW ELECTRIC ASSOCIATION INC., RECORDED JANUARY 19, 2016 AT RECEPTION NO. 216005099.
- (TC#32) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN RESOLUTION NO. 16-065, RECORDED MARCH 4, 2016 AT RECEPTION NO. 216022298.
- (TC#33) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN EL PASO COUNTY, COLORADO POSSESSION AND USE AGREEMENT, RECORDED MARCH 4, 2016 AT RECEPTION NO. 216022299.
- (TC#34) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN RESOLUTION NO. 18-091, RECORDED MARCH 2, 2018 AT RECEPTION NO. 218024260 AND RESOLUTION NO. 18-113 THERETO RECORDED MARCH 20, 2018 AT RECEPTION NO. 218031349.
- (TC#35) ANY AND ALL UNRECORDED LEASES OR TENANCIES AND ANY AND ALL PARTIES CLAIMING BY, THROUGH, OR UNDER SUCH LEASES OR TENANCIES.
- (TC#36) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN RESOLUTION NO. 18-212 RECORDED MAY 22, 2018 AT RECEPTION NO. 218058348.
- (TC#37) TERMS, AGREEMENTS, PROVISIONS, CONDITIONS AND OBLIGATIONS AS CONTAINED IN RESOLUTION NO. 18-399 - INCLUSION OF PROPERTY WITHIN THE DISTRICT - CARRIAGE MEADOWS NORTH FILING NO. 1 RECORDED OCTOBER 25, 2018 AT RECEPTION NO. 218124500.
- (TC#38) GRANT OF RIGHT OF WAY RECORDED OCTOBER 2, 2018 AT RECEPTION NO. 218115304.
- (TC#39) PRIVATE DETENTION BASIN/STORMWATER QUALITY BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT AND EASEMENT RECORDED NOVEMBER 15, 2018 AT RECEPTION NO. 218132998.
- (TC#40) DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CARRIAGE MEADOWS NORTH AT LORSON RANCH RECORDED NOVEMBER 15, 2018 AT RECEPTION NO. 218132999, FIRST AMENDMENT THERETO RECORDED DECEMBER 18, 2018 AT RECEPTION NO. 218144343.

GENERAL PLAT NOTES: (CONT.)

- (TC#41) SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED NOVEMBER 15, 2018 AT RECEPTION NO. 218133000.
- (TC#42) EASEMENTS, NOTES AND NOTICES AS SHOWN ON THE PLAT OF CARRIAGE MEADOWS NORTH FILING NO. 1 RECORDED NOVEMBER 15, 2018 AT RECEPTION NO. 218714242.
- (TC#43) DESIGNATION OF BUILDER RECORDED JANUARY 11, 2019 AT RECEPTION NO. 219003896.
4. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO.
5. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED AND ARE ON FILE AT THE EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT, PRELIMINARY PLAN FILE NUMBER PUD SP-16-002: SOILS AND GEOLOGICAL STUDY, DRAINAGE REPORT, WATER RESOURCES REPORT, FIRE PROTECTION REPORT, NATURAL FEATURES REPORT, PERCOLATION TEST RESULTS, EROSION CONTROL REPORT AND TRAFFIC IMPACT ANALYSIS.
6. ALL DEVELOPMENT WITHIN "VILLAGE AT LORSON RANCH FILING NO. 1" SHALL COMPLY WITH THE COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&RS) ON FILE FOR VILLAGE AT LORSON RANCH FILING 1 AS RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, OR OTHERWISE AMENDED BY EL PASO COUNTY FOLLOWING APPROPRIATE PUBLIC HEARINGS.
7. NO STRUCTURES WITH PERMANENT FOUNDATIONS OR MATERIAL STORAGE ACTIVITIES ARE PERMITTED WITHIN DESIGNATED DRAINAGE EASEMENTS, FLOODPLAIN, OR PARK AND OPEN SPACE AREAS. FENCES SHALL NOT IMPEDE RUNOFF FROM REACHING DRAINAGE SWALES.
8. THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
9. THERE SHALL BE NO DIRECT LOT ACCESS TO FONTAINE BOULEVARD OR MARKSHEFFEL ROAD.
10. SIGHT TRIANGLE/NO-BUILD AREAS AS SHOWN SHALL BE MAINTAINED AT THE INTERSECTIONS. NO OBSTRUCTION GREATER THAN 18" IN HEIGHT IS ALLOWED IN THESE AREAS.
11. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY.
12. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY DEPARTMENT OF PUBLIC WORKS AND UNITED STATES POSTAL SERVICE REGULATIONS.
13. NO LOT OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS THE REQUIRED PUBLIC IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NO. _____ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, OR IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED WHICH IS SUFFICIENT IN THE JUDGMENT OF THE BOARD OF COUNTY COMMISSIONERS, TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS.
14. THIS SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR "VILLAGE AT LORSON RANCH FILING NO. 1", RECORDED UNDER RECEPTION NO. _____ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
15. THE PROPERTY IS SUBJECT TO TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS, AND EASEMENTS AS CONTAINED IN PRIVATE DETENTION BASIN/ STORMWATER QUALITY BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT AND EASEMENT RECORDED UNDER RECEPTION NO. 218132998.
16. THIS PROPERTY IS INCLUDED WITHIN THE LORSON RANCH METROPOLITAN DISTRICT NO. 3. LORSON RANCH METROPOLITAN DISTRICT NO. 4, AND LORSON RANCH METROPOLITAN DISTRICT NO. 7 AND IS SUBJECT TO THE TAXES, FEES AND REQUIREMENTS OF SAID DISTRICTS. (SEE TITLE COMMITMENT SCHEDULE B, PART II- EXCEPTIONS, ITEMS 17, 18, AND 19.)
17. 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 PARKS AND WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S. FISH AND WILDLIFE SERVICE AND/ OR COLORADO DEPARTMENT OF WILDLIFE REGARDING THE ENDANGERED SPECIES ACT, AS IT RELATES TO THE LISTED SPECIES.
18. EL PASO COUNTY MUST BE CONTACTED PRIOR TO THE ESTABLISHMENT OF ANY DRIVEWAY.
19. THE PROPERTY IS SUBJECT TO THE FOLLOWING DEVELOPMENT AGREEMENTS:
- A. DEVELOPMENT AGREEMENT NO. 1 RECEPTION NO. 205128925 AS APPROVED BY RESOLUTION NO. 05-336, RECEPTION NO. 205131973 AS CORRECTED - RECEPTION NO. 205132869.
- B. DEVELOPMENT AGREEMENT NO. 2 RECEPTION NO.210025931, RE-RECORDED RECEPTION NO. 210036301.
- C. DEVELOPMENT AGREEMENT NO. 3 APPROVED 12/10/2011, NO RECORDING INFORMATION FOUND.
- D. DEVELOPMENT AGREEMENT NO. 4, RESOLUTION NO. 12-196, RECEPTION NO. 212090407.
- E. DEVELOPMENT AGREEMENT NO. 5 RECEPTION NO. 214007624.
- F. DEVELOPMENT AGREEMENT NO. 6 CONTRACT 2015-091A 3/3/2015
- G. SCHOOL SITE DEDICATION AGREEMENT RECEPTION NO. 212047863.

GENERAL PLAT NOTES: (CONT.)

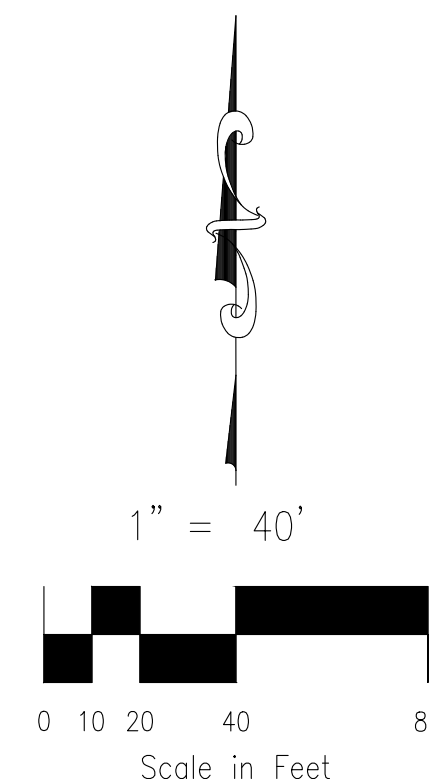
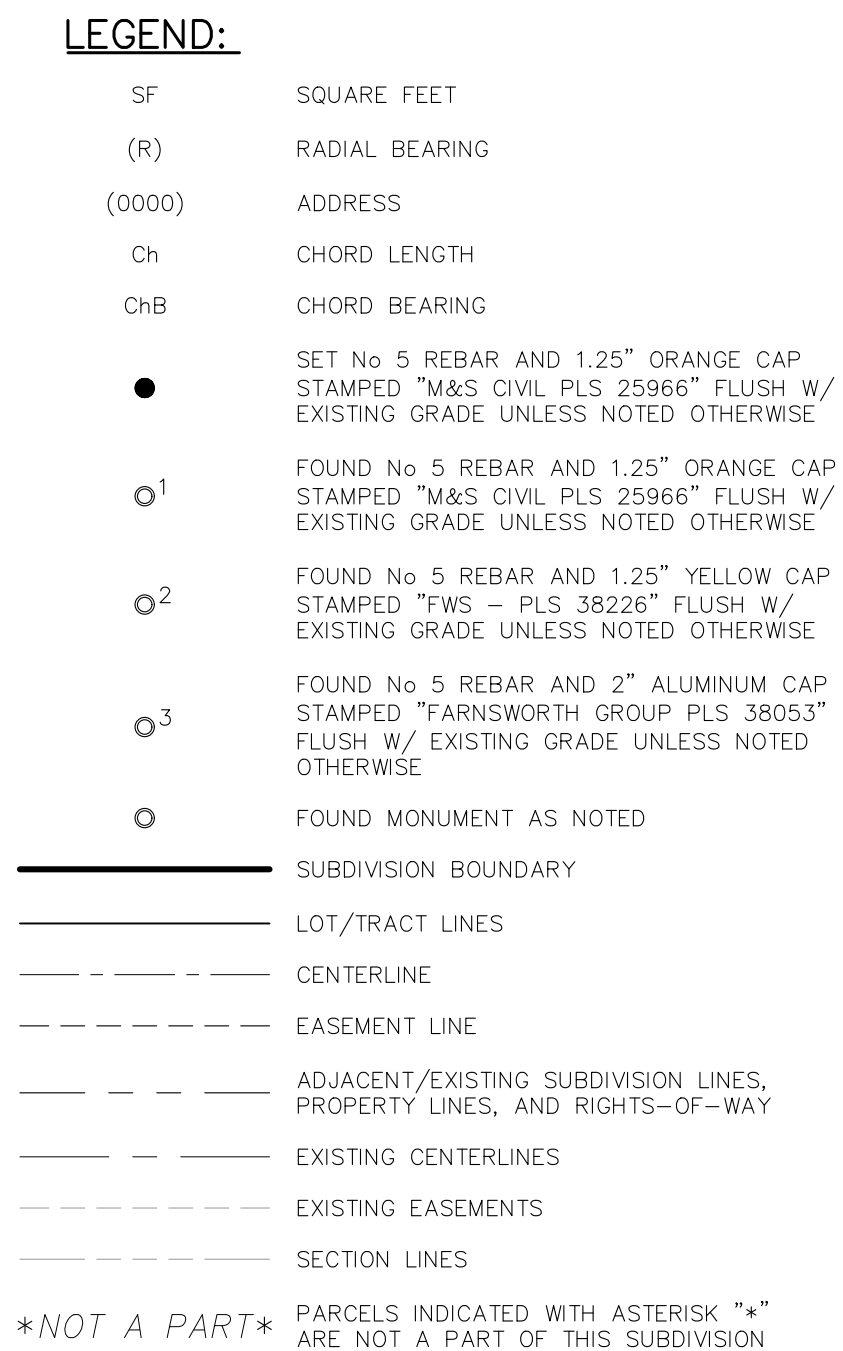
20. PURSUANT TO RESOLUTION NO. 18-399, APPROVED BY THE BOARD OF DIRECTORS, EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT 2 AND RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 218124500, THE PARCELS WITHIN THE PLATTED BOUNDARIES OF "VILLAGE AT LORSON RANCH FILING NO. 1" ARE INCLUDED WITHIN THE BOUNDARIES OF THE EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT 2 AND AS SUCH IS SUBJECT TO APPLICABLE ROAD IMPACT FEES AND MILL LEVY.
21. 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.
22. A "SOIL AND GEOLOGY STUDY, VILLAGE AT LORSON RANCH, NORTHEAST CORNER OF MARKSHEFFEL RD AND FONTAINE BLVD TRACT D, CARRIAGE MEADOWS NORTH, FILING NO. 1, EL PASO COUNTY, COLORADO" WAS COMPLETED BY THE ROCKY MOUNTAIN GROUP (RMG) LAST DATED APRIL 9, 2024, JOB NO. 195914. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE _____ AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. THE REPORT INDICATED GEOLOGIC HAZARDS WERE NOT FOUND AT THIS SITE, HOWEVER, IT HAS BEEN FOUND TO BE IMPACTED BY GEOLOGIC CONSTRAINTS. THE POTENTIAL GEOLOGIC CONSTRAINTS FOUND ON THE SITE INCLUDE:
- EXPANSIVE SOILS AND BEDROCK
 - COMPRESSIBLE SOILS
 - SEASONALLY SHALLOW GROUNDWATER
 - UNCONTROLLED/UNDOCUMENTED FILL
- THE STUDY CONCLUDED EACH CONSTRAINT CAN BE READILY MITIGATED WITH TYPICAL CONSTRUCTION PRACTICES TYPICAL FOR THE FRONT RANGE REGION. MITIGATION IS TO INCLUDE, OVEREXCAVATION AND REPLACEMENT OF EXPANSIVE SOILS/BEDROCK, COMPRESSIBLE SOILS AND UNDOCUMENTED FILL. SLAB ON GRADE FOUNDATIONS ARE PROPOSED FOR THE SUBDIVISION AND A MINIMUM OF 3 TO 5-FOOT OF SEPARATION IS RECOMMENDED BETWEEN THE BOTTOM OF THE FOUNDATION COMPONENTS/FLOOR SLABS AND THE SEASONAL HIGH WATER TABLE LEVELS. IF BASEMENTS ARE PROPOSED, THE SITE IS TO BE RE-EVALUATED AT THE TIME OF THE SITE-SPECIFIC SUBSURFACE SOIL INVESTIGATION FOR EACH LOT AND AGAIN AT THE OPEN EXCAVATION OBSERVATION FOR EACH PROPOSED STRUCTURE, BASED ON THE CONDITIONS ENCOUNTERED AT THAT TIME. COLORADO GEOLOGICAL SURVEY RECOMMENDS THAT LOT-SPECIFIC SOILS INVESTIGATIONS BE PERFORMED ONCE BUILDING LOCATIONS HAVE BEEN IDENTIFIED.
23. GAS SERVICE PROVIDED BY BLACK HILLS ENERGY, SUBJECT TO THE PROVIDER'S RULES, REGULATIONS, AND SPECIFICATIONS.
24. ELECTRIC SERVICE PROVIDED BY MOUNTAIN VIEW ELECTRIC ASSOCIATION, SUBJECT TO THE PROVIDER'S RULES, REGULATIONS, AND SPECIFICATIONS.
25. WATER AND WASTEWATER SERVICE PROVIDED BY WIDEFIELD WATER AND SANITATION DISTRICT, SUBJECT TO THE PROVIDER'S RULES, REGULATIONS, AND SPECIFICATIONS.
26. FENCING TO BE INSTALLED BY BUILDER, AND OWNED AND MAINTAINED BY INDIVIDUAL LOT OWNERS.
27. THE PRIVATE ROAD (CENTER VILLAGE HEIGHTS) AS SHOWN ON THIS PLAT WILL NOT BE MAINTAINED BY EL PASO COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH EL PASO COUNTY STANDARDS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION AND MAINTENANCE.
28. THE APPROVAL OF THIS REPLAT VACATES ALL PRIOR PLATS FOR THE AREA DESCRIBED BY THIS REPLAT.

FINAL PLAT			
VILLAGE AT LORSON RANCH FILING NO. 1			
PROJECT NO.: 43-143		DATE OF PREPARATION: APRIL 15, 2024	
REVISIONS:	NO.	DATE:	BY: DESCRIPTION:
	1	06/03/2024	ELY ADDRESS EDARP 1st REVIEW COMMENTS
DRAWN BY: ELY		CHECKED BY: VPT	PCD FILE No.: SF-24-008



212 N. WAHSATCH AVE., STE 305
COLORADO SPRINGS, CO 80903
PHONE: 719.955.5485

A REPLAT OF TRACT D, "CARRIAGE MEADOWS NORTH AT LORSON RANCH FILING NO. 1" RECORDED UNDER RECEPTION NO. 218714242 OF THE RECORDS OF EL PASO COUNTY, COLORADO, BEING A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (S1/2 SE 1/4 SE 1/4) SECTION 15, T15S, R65W, OF THE SIXTH P.M., EL PASO COUNTY, COLORADO



AS PLATTED

FINAL PLAT			
VILLAGE AT LORSON RANCH FILING NO. 1			
PROJECT NO: 43-143		DATE OF PREPARATION: APRIL 15, 2024	
REVISIONS:	NO.	DATE:	BY: DESCRIPTION:
	1	06/03/2024	ELY ADDRESS EDARP 1st REVIEW COMMENTS
DRAWN BY: ELY CHECKED BY: VPT PCD FILE No.: SF-24-00			



212 N. WAHSATCH AVE., STE 305
COLORADO SPRINGS, CO 80903
PHONE: 719.955.5485

SHEET 3 OF 4

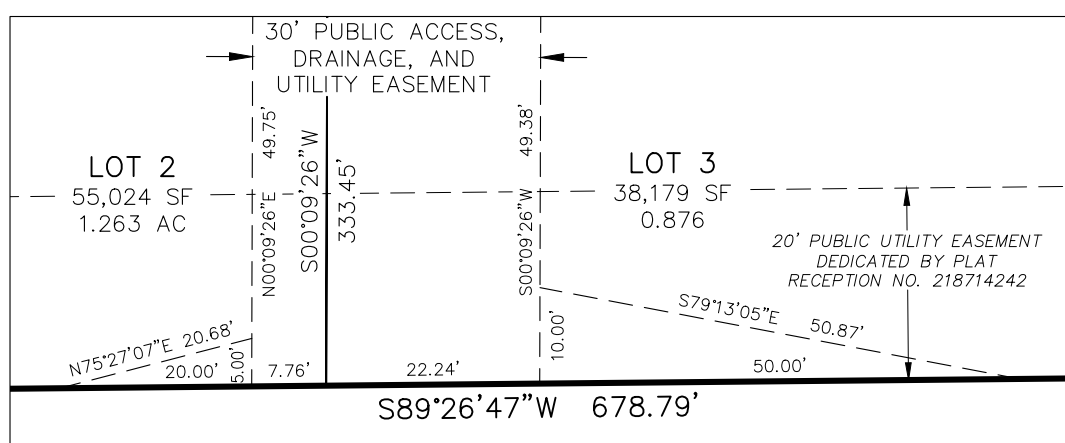
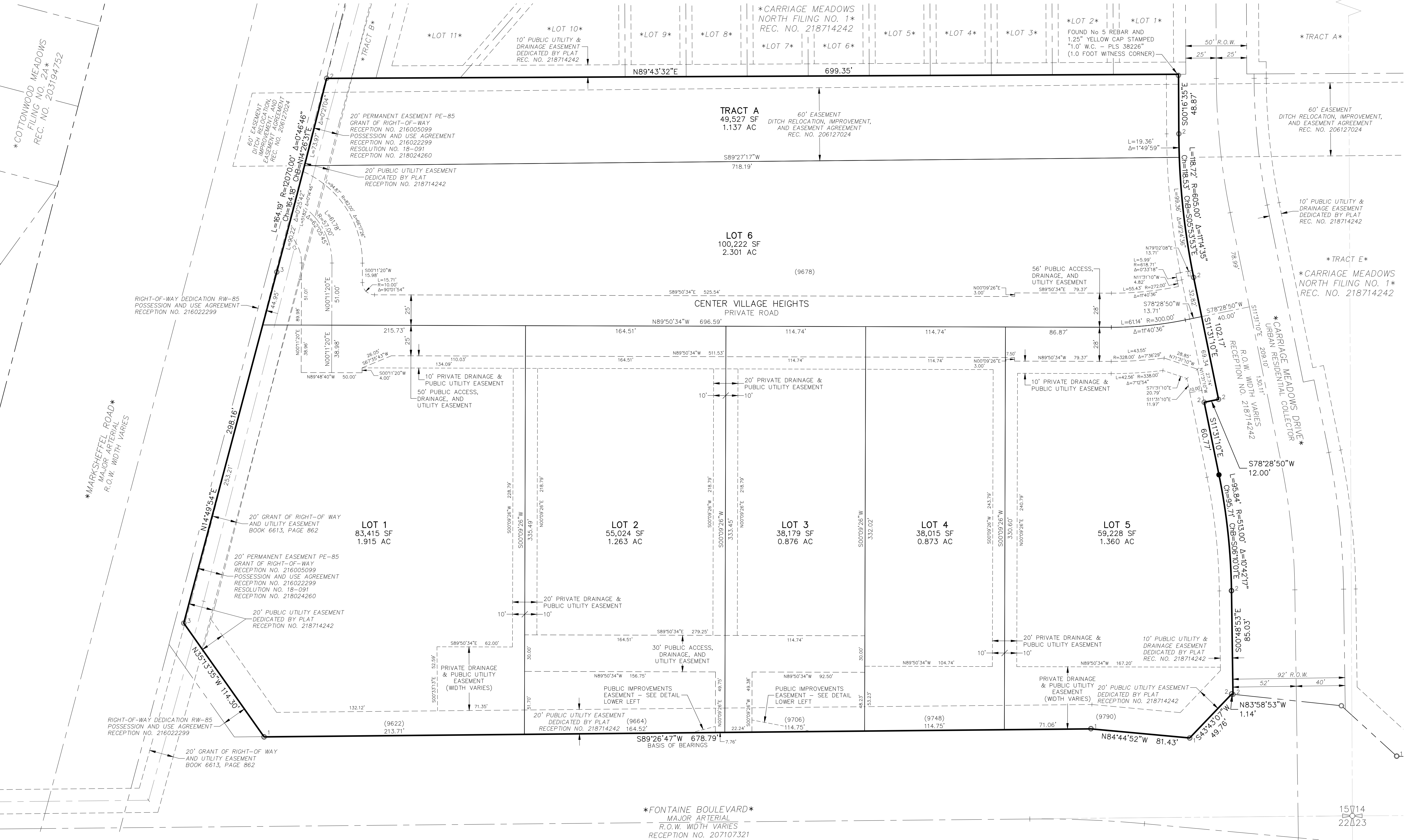
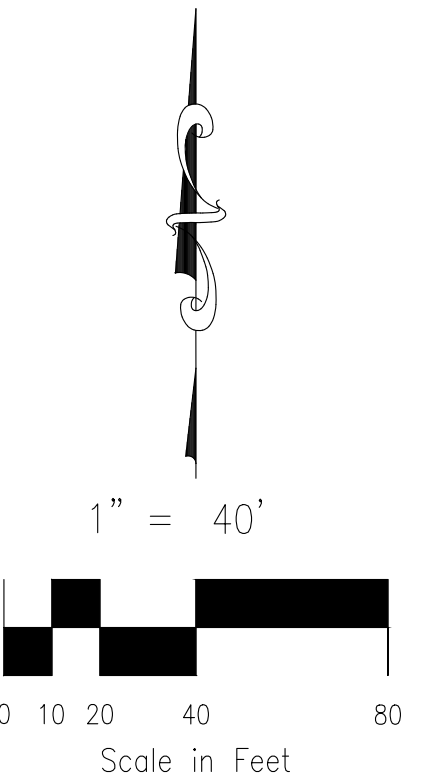
VILLAGE AT LORSON RANCH FILING NO. 1

A REPLAT OF TRACT D, "CARRIAGE MEADOWS NORTH AT LORSON RANCH FILING NO. 1"
RECORDED UNDER RECEPTION NO. 218714242 OF THE RECORDS OF EL PASO COUNTY,
COLORADO, BEING A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF
THE SOUTHEAST QUARTER (S1/2 SE 1/4 SE 1/4) SECTION 15, T15S, R65W,
OF THE SIXTH P.M., EL PASO COUNTY, COLORADO

LEGEND:

- SF SQUARE FEET
(R) RADIAL BEARING
(0000) ADDRESS
Ch CHORD LENGTH
ChB CHORD BEARING
- SET No 5 REBAR AND 1.25" ORANGE CAP STAMPED "M&S CIVIL PLS 25966" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE
- ₁ FOUND No 5 REBAR AND 1.25" ORANGE CAP STAMPED "M&S CIVIL PLS 25966" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE
- ₂ FOUND No 5 REBAR AND 1.25" YELLOW CAP STAMPED "FWS - PLS 38226" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE
- ₃ FOUND No 5 REBAR AND 2" ALUMINUM CAP STAMPED "FARNSWORTH GROUP PLS 38053" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE
- FOUND MONUMENT AS NOTED
- SUBDIVISION BOUNDARY
- LOT/TRACT LINES
- CENTERLINE
- EASEMENT LINE
- ADJACENT/EXISTING SUBDIVISION LINES, PROPERTY LINES, AND RIGHTS-OF-WAY
- EXISTING CENTERLINES
- EXISTING EASEMENTS
- SECTION LINES
- *NOT A PART* PARCELS INDICATED WITH ASTERISK "*" ARE NOT A PART OF THIS SUBDIVISION

EASEMENT CURVE TABLE			
CURVE #	ARC LENGTH	RADIUS	DELTA
C1	28.51	32.00	51°02'25"
C2	5.86	605.00	0°33'18"



PUBLIC IMPROVEMENT EASEMENTS DETAIL
LOTS 2 AND 3
SCALE: 1" = 20'

AS REPLATTED

FINAL PLAT			
VILLAGE AT LORSON RANCH FILING NO. 1			
PROJECT NO.: 43-143		DATE OF PREPERATION: APRIL 15, 2024	
NO.	DATE:	BY:	DESCRIPTION:
1	06/03/2024	ELY	ADDRESS EDARP 1st REVIEW COMMENTS



May 22, 2024

Kylie Bagley
El Paso County Planning and Community Development
Transmission via EDARP portal
CDWR Subdivision 31343

Re: Village at Lorson Ranch Filing 1 EA2413 SF248
SE1/4 Sec. 15, T15S, R65W of the 6th PM
Water Division 2, Water District 10

Dear Kylie Bagley:

We have reviewed your April 22, 2024 submittal concerning the above referenced proposal to subdivide 9.725 acres into 6 commercial lots ranging from 0.88 acres to 1.7 acres.

Water Supply Demand

According to the submittal, the proposed uses and estimated water requirements for the six lots are as follows:

- Lot 1 is a gas station on a 1.6 acre site, using 2.44 acre feet of water
- Lot 2 is a food retailer on a 1.26 acre site, using 1.93 acre-feet of water
- Lots 3 and 4 are food retailers on 0.88 acre lots using 1.34 acre-feet each of water
- Lot 5 is a 1.08 acre miscellaneous retail site using 0.8 acre-feet of water
- Lot 6 is a 1.7 acre storage site using 1.19 acre feet of water
- Miscellaneous landscaping requirements for the filing are 25,000 square feet (0.5739 acres) estimated to require 3.88 acre feet of water

The total demand for this project is 12.93 acre-feet per year for the lots and landscaping.

Source of Water Supply

The proposed water supplier is the Widefield Water and Sanitation District ("District"). The District has provided a letter dated April 4, 2024 committing to serve the subdivision. Information in our files indicates the district has approximately 458 acre-feet per year of Denver Basin ground water available for additional commitments.

State Engineer's Office Opinion

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

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.



Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

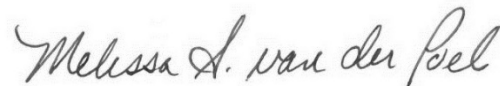
The Division 2 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

Additional Comments

The application materials indicate that 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.

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

Sincerely,



Melissa A. van der Poel, P.E.
Water Resources Engineer

cc: Subdivision File 31343
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

August 21, 2024

SF-24-8 Village at Lorson Ranch Filing No. 1

Reviewed by: Lori Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Cradlan, LLC ("Applicant"), to subdivide an approximately 9.725 +/- acre parcel into 6 commercial lots. The property is zoned PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* ("WSIS"), the Applicant estimated its annual water needs to serve this subdivision at 12.93 acre-feet/year, which equates to 1.50 acre-feet per year per lot and is comprised of 9.05 annual acre-feet for commercial use and 3.88 annual acre-feet for irrigation. Based on these figures, the Applicant must provide a supply of 3,879 acre-feet of water (12.93 acre-feet/year x 300 years) to meet the County's 300-year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Widefield Water and Sanitation District ("District"). As described in the Water Resources Report ("*Report*"), the District has a current developed physical water supply of 5,271 acre-feet of water per year, and the three year average actual use is 2,898 acre-feet per year. The District's water is sourced from a number of groundwater and surface water sources. The *Report* indicates that the district "has an excess capacity in their existing water supply system to serve this subdivision."

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY
TERRY A. SAMPLE

LORI L. SEAGO
DOREY L. SPOTTS

BRYAN E. SCHMID
STEVEN W. MARTYN

MERI GERINGER
ERIKA KEECH

4. The District provided a letter of commitment for The Villages at Lorson Ranch Filing No. 1 dated April 4, 2024, in which the District committed to providing water service for the 6 commercial lots plus irrigation, for an annual water requirement of 12.93 acre-feet.

State Engineer's Office Opinion

5. In a letter dated May 22, 2024, the State Engineer reviewed the application to subdivide the 9.725 +/- acres into 6 commercial lots. The State Engineer stated that "[i]nformation in our files indicates the district has approximately 458 acre-feet per year of Denver basin ground water available for additional commitments." Further, the State Engineer stated that "...pursuant to Section 30-28-136(1)(h)(I), 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 The Village at Lorson Ranch Filing No. 1 is 12.93 acre-feet per year for a total demand of 3,879 acre-feet for the subdivision for 300 years, to be supplied by Widefield Water and Sanitation District. **Based on the District's commitment to serve this subdivision and the State Engineer's conclusion that the District has sufficient water to provide such service, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for The Village at Lorson Ranch Filing No. 1.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with 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 April 2024 the *Widefield Water and Sanitation District* letter dated April 4, 2024, and the *State Engineer Office's Opinion* dated May 22, 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 requirements 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, limitations, and specifications set by the District.

cc: Kylie Bagley, 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. SF248
Village at Lorson Ranch Fil. No. 1

WHEREAS, Matrix Design Group, Inc. did file an application with the El Paso County Planning and Community Development Department for approval of a Final Plat for the Village at Lorson Ranch Fil. 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 this Commission on October 3, 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.
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

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

1. The Subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The Subdivision is in substantial conformance with the approved Preliminary Plan;
3. The Subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
4. Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for Administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;
6. All areas of the proposed Subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed Subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM");
8. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement acceptable to the County in compliance with the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed Subdivision;

10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the Subdivision in accordance with applicable requirements of Chapter 8 of the Code;
12. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed Subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the Subdivision will be adequately mitigated;
13. The Subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this Subdivision [C.R.S. §§ 34-1-302(1), et seq.].

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Matrix Design Group, Inc. for approval of a Final Plat for the Village at Lorson Ranch Fil. No. 1 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. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.

4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
9. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated August 21, 2024, as provided by the County Attorney's Office.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of plat recordation:
 - a. The subject property is in the Jimmy Camp Creek Drainage Basin, currently there are no fees required per Resolution 24-233.
 - b. Park fees are not applicable for this application.
 - c. School fees are not applicable for this application.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

4. The El Paso County Road Impact Fee Program Resolution (Resolution 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 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.

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
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of _____ to _____ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 3rd day of October 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

TRACT D, "CARRIAGE MEADOWS NORTH AT LORSON RANCH FILING NO. 1" UNDER RECEPTION NO. 218714242 OF THE RECORDS OF EL PASO COUNTY, COLORADO, BEING A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (S 1/2 SE 1/4 SE 1/4) SECTION 15, T15S, R65W, OF THE SIXTH P.M., EL PASO COUNTY, COLORADO.

SAID PARCEL OF LAND CONTAINS A CALCULATED AREA OF 423,608 SQUARE FEET (9.725 ACRES, MORE OR LESS).